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JUL - 7 1980

CITY COUNCIL MEETING NO. 36

Pursuant to Rule No. 3 of By-Law No. 1, a Special Meeting of City Council has been summoned by Mayor Keyes for Wednesday, July 2, 1980 at 7:30 p.m. in the Council Chambers at City Hall, followed by an In Camera session.

ROLL CALL

COMMUNICATIONS

Which has been Referred to the City of Kingston Planning Board

(461) From Mr. J.B. Cooney, 37 Brant Avenue, Kingston, concerning Zoning By-Law No. 80-92 and objecting to the intention of the City of Kingston to rezone the affected area from Zone A3 and Zone P, thereby permitting the City to subdivide a portion of the former Kingscourt Public School grounds.

Mr. Cooney claims that when the entire Kingscourt area was developed the tax base was established for that area in particular, and the City in general, on the basis of that parcel of land being tax ememept. Over the twenty years that Mr. Cooney has resided at his present address, he has assisted to purchase the property for the Board of Education through payment of his taxes. Now, it is his understanding that the Board of Education has sold it to the City of Kingston and the tax payers are obliged to buy it again.

Mr. Cooney does not understand why there is such an urgency to subdivide and build houses on the said property after the school is torn down when the apartment vacancy in Kingston and the district is the highest on record (5.4%). He also points out that there are approximately 3,500 listings of property for sale in Kingston and the surrounding area at the present time and there are still at least 15 new houses built by Dacon, north of Q.E.C.V.I. in Rockcliffe Estate which have been vacant and unsold for nearly two and a half years. These houses are located only a few blocks from the proposed development.

Mr. Cooney feels that undeveloped service land would sell at a much higher value in the future than under the current real estate conditions. He states that he would be in favour of developing the entire parcel of land for a park at the present time with at least a five year moratorium on the building of permanent structures.

File No. 25-2.16-3

To be Filed

(462) From Ald. James Nelson Clark advising that he will be on holidays from June 30th until August 19th and therefore will be unable to attend any meetings held during that time.

A05

COMMUNICATIONS (Cont'd)

Which has been Referred to the City of Kingston Planning Board

(463) From the Township of Kingston advising of their passing of By-Law 80-45 on June 17, 1980 to regulate land use pursuant to section 35 of the Planning Act.

The last date for filing objections to this by-law is July 15, 1980. If no notice of objection has been filed with the Clerk of the Township of Kingston within the time provided, the by-law thereupon comes into effect and does not require the approval of the Ontario Municipal Board.

File No. 21-4.11

To be Filed

(464) From the Ministry of Correctional Services forwarding their pamphlet entitled "Correctional Update".

To be Referred to the Kingston Planning Board

(465) Copy of a letter to the Honourable William Davis, Premier of Ontario, from Mr. J.B. Sampson with regard to the 140 Unit Condominium at the corner of Bath Road and Sir John A. MacDonald Blvd.

Mr. Sampson states that, up until the late 1960's, no apartment structure was permitted beyond 3 storeys on this site. Therefore, early in the 1970's, Mr. Sampson asked the O.M.B. to convene, at which time they did, on the promise of the municipality that they would concede the 50 units per acre as applied for.

Although the City of Kingston Official Plan permits the 50 units per acre, with the average of two bedroom units and Zoning By-law 8499, section 138, specifically refers to the location permitting 53.3 units per acre, the maximum number of permissible dwelling units shall be 140 and in spite of the OMB Order dated February 28, 1978 approving the 53.3 dwelling units on the subject property, Mr. Sampson was faced with the obstruction under Section 4.48 of the individual gross floor areas of the building expressed as a percentage of lot area.
In effect, therefore, Section 4.48 reduces the quantum of units to 67 in face of the Board's Order of the 140 units.

This project is being delayed owing to the dispute on "Lot Occupancy", i.e., whether the Official Plan, the Zoning By-Law and the Board's Order is to be thwarted by Section 4.48 interpretation of Lot Occupancy.
Mr. Sampson is therefore requesting assistance from the Premier of Ontario in urging the Board to accelerate the Hearing date on this matter.

File No. 25-2.3-13

To be Filed

(466) From Parks Canada inviting Mayor Keyes and members of council to attend a brief opening ceremony of the Kingston Mills Lockstation Blockhouse on Sunday, July 6, 1980 at 1:30 p.m.

(Note: Copies have been distributed to all members of Council)

PETITION

(1) A petition presented by Ald. Grant Timmins signed by approximately 80 people objecting to the rezoning application by Homestead Land Holdings, re Block "S", Plan 1158, Calvin Park, on Bath Road near Portsmouth Avenue.

(Note: The O.M.B. hearing on this matter has been scheduled for July 8, 1980 in the Council Chambers, City Hall, at 10:00 a.m.)

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive Report No. 56 of the City of Kingston Planning Board and Report No. 57 of the Chief Administrative Officer.

REPORTS

That Report No. 56 of the City of Kingston Planning Board be received and adopted, clause by clause.

That Report No. 57 of the Chief Administrative Officer be received and considered.

REPORT NO. 56

June 25, 1980.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS there are unexpended funds in the Neighbourhood Improvement Program; and

WHEREAS the Program must be completed by the end of 1980; and

WHEREAS it is desirable that these funds be used for further improvements in the N.I.P. Area; and

WHEREAS the Planning Board has consulted with the N.I.P. Citizens' Committee and jointly with the Committee has held a public meeting to give citizens of the area an opportunity to consider the proposed improvements;

THEREFORE BE IT RESOLVED THAT the Neighbourhood Improvement Program 1980 Supplementary Program, which is attached hereto as Schedule 'A', be adopted and that the Redevelopment Plan be amended accordingly.

2. WHEREAS the Township of Kingston has notified of the passing of By-Law No. 80-45, the effect of which is to rezone to Special Light Industrial (M2-18) lands located on the west side of Kingston Mills Road (Lot 33, Concession 4, Township of Kingston) to permit the establishment of a retail plumbing sales outlet and offices, a shop for a plumbing contractor and a retail pool sales outlet; and

WHEREAS the Planning Board has considered this by-law and is of the opinion that there will be no adverse effect on lands within the boundaries of the City of Kingston;

THEREFORE BE IT RESOLVED that no action be taken on the Notice of the Passing of By-Law No. 80-45 of the Township of Kingston.

Respectfully submitted,

CHAIRMAN

Schedule 'A' to Report No. 56
(Page 1)

PROPOSED N.I.P. SUPPLEMENTARY PROGRAM

Priority of NIP Committee	Description	Estimated Cost
		$
1	Street Lighting Improvements: 125 low pressure sodium vapour luminaires (55 watts) including Montreal Street	42,625
2	Artillery Park: roof over gym area insulate, new roof, fans under roof	15,000
3	Artillery Park: convert one bay into offices	8,000
4	McBurney Park: total upgrading	14,500
5	Bargain Barn: North Street Hill - appraised value	12,000
6	Artillery Park - mechanical room improvements, storm windows throughout, gym floor markings & stanchions for net posts	5,000
7	Robert Meek School - fence along east boundary	8,000
8	Artillery Park - upgrading change and shower room	25,000
9	Artillery Park - door to spectator area of pool room	3,000
	Total Cost :	$133,125

REPORT NO. 57

June 27, 1980.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That the following terms of reference for the Special Committee on Downtown Revitalization, which was set up by Council at its meeting on April 28, 1980, be approved:

   a) to negotiate with Chartwood Developments Ltd. and the Province of Ontario;

   b) to make recommendations to Council on all matters concerning the downtown revitalization program;

   c) to act as liaison between the City and the merchants;

   said Committee to consist of the following people:

   Mayor Ken Keyes (Chairman))
   Ald. J. Gerretsen (Vice-Chairman)) Voting
   Ald. M. Gorham,) Members
   Ald. G. Webb)

   Mr. R.J. Hamilton,) Non-Voting
   Mr. G.G. Muirhead,) Advisory
   Mr. N.C. Jackson,) Members
   Mr. B.G. Cousens,)
   Mr. J. Van Haastrecht,)

2. That, as recommended by the Special Committee on Downtown Revitalization, the Province of Ontario be requested to supply the City with a list of acceptable consultants, one of whom will be selected by the City to conduct a market impact study of the downtown area, to include the proposed development by Ivanhoe Inc;

   - and further -

   that Chartwood Developments Limited to requested to pay 50% of the costs of such a study.

3. That, as recommended by the Commissioner of Parks and Recreation, notwithstanding the fact that the City are presently soliciting proposals for Mobile Home Food Services throughout the parks system, the Kingston Senior Baseball Club be allowed to place a mobile food vehicle at Megaffin Stadium, but only at such times as they are playing home games (exhibition or league games).

   (Note: A copy of a report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 4 Pages.)

4. That, as recommended by the Commissioner of Parks and Recreation, approval be given to the Kingston Artist Association Inc. and the Performing Arts Office to use Confederation Park on the evening of July 13, 1980, to hold a "Meet the Cast - Weiner Roast" which will start around 6:00 p.m., it being noted that the weiners and refreshments available will be sold at a nominal charge.

(Note: A copy of the Report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 2 pages.)

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Schedule "A" to Report No. 57
(Page 1)

JUN [illegible]

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: June 25, 1980

SUBJECT: REQUEST FOR PERMISSION TO OPERATE A CHIP WAGON AT MEGAFFIN STADIUM FOR THE PONIES HOME GAMES

ORIGIN: The Kingston Senior Baseball Club (see letters attached).

ANALYSIS: The Kingston Senior Baseball Club has made an agreement whereby they can develop some revenue to help offset their operating costs through an arrangement with a local Mobile Food Dispensing Operator. It has been observed that the fans appreciate the service and, certainly, the ball club needs the financial assistance.

RECOMMENDATION: Notwithstanding the fact that we are presently soliciting proposals for Mobile Food Services throughout the parks system, it is recommended that the Kingston Senior Baseball Club be allowed to place a mobile food vehicle at Megaffin Stadium, but only at such times as they are playing home games (exhibition or league games).

Doug R. Fluhrer
Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
c.c. to: Peter N. Lawson, Director of Operations,
Parks & Recreation Department.

Mr. Claude Scilley,
Kingston Senior Baseball Club.

Schedule "A" to Report No. 57
(Page 2)

COPY TO: K.J. Hamilton
DEPT: C.A.O.
FROM: PARKS & RECREATION DEPT.

COMMISSIONER
DOUGLAS R. FLUHRER

CORPORATION OF THE
CITY OF KINGSTON
DEPARTMENT
OF
PARKS & RECREATION

CITY HALL
KINGSTON ONTARIO
K7L 2Z3

June 25, 1980

Mr. Claude Scilley,
Kingston Senior Baseball Club,
P.O. Box 1395,
KINGSTON, Ontario.

Re: Mobile Food Wagon - Megaffin Stadium

Dear Mr. Scilley:

As stated in Mr. Lawson's letter, the fact that the chip wagon is operating on park lands leaves me no alternative but to reply in the negative.

I do not have the authority to waive City By-laws, and this must be done by Council. We certainly appreciate the financial problems that you have, but unless Council waives the by-law, it is illegal to proceed. I am more than prepared to make a recommendation to Council in support of your request; however, the next regular Council meeting is not until July 7th and, therefore, in the meantime, the presence of this chip wagon is contrary to City By-laws.

Yours truly,

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
c.c. to: R. J. Hamilton, C.A.O.; ✓
Peter N. Lawson, Director of Operations,
Parks & Recreation Dept.

Schedule "A" to Report No. 57
(Page 3)

Kingston Senior Baseball Club
P.O. Box 1395
Kingston, Ontario
June 12, 1980

PARKS AND RECREATION
JUN 16 1980
REC'D.

Mr. Douglas Fluhrer,
Administrator,
Dept. of Parks and Recreation,
City Hall,
Kingston, Ontario

Dear Mr. Fluhrer,

I am writing on behalf of Kingston Senior Baseball Club in regard to a mobile food dispensing operator (chip wagon) servicing our games at Megaffin stadium this season.

We do not wish to create any difficulties, there I am requesting permission of your department and City Council to enter into an agreement with an operator to vend food and beverages at Megaffin stadium at our games only.

The club is in need of such revenue to apply to operating expenses.

We hope that there will be no difficulties.

Thank you.

Sincerely,

Claude Scilley

Claude Scilley

Schedule "A" to Report No. 57
(Page 4)

June 5, 1980.

Mr. Don Senior,
152 Morenz Crescent,
Kingston, Ontario.
K7K 2X3

Dear Mr. Senior:

It has been brought to my attention recently that a mobile food service (chip truck) has been setting up and selling food at the Megaffin Stadium site. For information purposes, this type of action directly contravenes City By-Law No. 19, and as such, is not permissible unless appropriately approved by City Council.

I am directing this correspondence to you, as our contact with the Senior Baseball Club, such that, if your Club has enacted arrangements for such a service at the Megaffin site, I would appreciate your co-operation in seeing that it ceases as soon as possible. Should your Club not be directly involved in this arrangement, I would still appreciate your co-operation in passing on this information to the person who is operating the business.

Certainly, our Department appreciates the need for some type of canteen service for spectators in a number of public parks around the city; and, to this end, we have recently received Council approval to call Tenders for mobile food services for a number of designated City parks, including Megaffin. Possibly the person now setting up at Megaffin may be interested in tendering on such, when the tender is prepared and advertised in the near future.

Your anticipated co-operation is much appreciated. Thank you.

Yours truly,

PNL/cb

Peter N. Lawson,
Director of Operations.

c.c. Ald. Joe Hawkins, 607 MacDonnell St.
Mr. George Fournier, 180 Morenz Cresc.
Douglas R. Fluhrer, Commissioner, Parks & Recreation
Stan Galt, Supervisor of Recreation

Schedule *"B"* to Report No. *57*
(Page *1*)

JU [illegible] 1980

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer.
FROM:	Douglas R. Fluhrer, Commissioner, Parks & Recreation Dept.
DATE:	June 26, 1980
SUBJECT:	REQUEST TO SELL FOOD - CONFEDERATION PARK - JULY 13, 1980, ON THE OCCASION OF A CELEBRATION IN THE EVENING TO INTRODUCE THE CAST OF "SPRING THAW" TO THE CITIZENS OF THE COMMUNITY (See attached letter)
RECOMMENDATION:	In view of the benefits this will provide the citizens of Kingston in learning more about the performing arts within the community, it is recommended that this request be granted.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachment.

c.c. to: Peter N. Lawson,
Director of Operations,
Parks & Recreation Department.

AND
RECREATION
JUN 11 1980
REC'D.

PERFORMING ARTS OFFICE

Queen's University
Kingston, Canada
K7L 3N6
Tel. 613 547-5786/2883
Box Office 613 547-6194

June 11, 1980

Mr. Douglas R. Fluhrer
Commissioner, Parks and Recreaction
City Hall
Kingston

Dear Mr. Fluhrer,

I am writing to ask permission to use Confederation Park on the evening of July 13, 1980. The Kingston Artist Association Inc. and the Performing Arts Office are sponsoring a series of activities during the residency of the musical revue "Spring Thaw" with the help of Ministry of Culture and Recreaction grants. In conjunction with this residency, The Vaults restaurant would like to host a "Meet the Cast - Weiner Roast" at Confederation Park starting around 6 p.m. We would like to have small charcoal burners, weiners and refreshments available at a nominal charge, and marshmallows and sticks for free.

The list of "Spring Thaw" events includes, other that the performances at the Grand Theatre from July 11-19, a civic luncheon with guest speaker Arnold Edinborough, hosted by the Chamber of Commerce; a workshop on technical aspects of producing a musical revue sponsored by Domino Theatre, and a series of four workshops on various topics (ranging from "How to Tour a Show" to "Liability of Satirical Materials") sponsored by the K.A.A.I. All workshops are open to the public.

As you can see, this residency period is supported by many civic organizations. By holding the weiner roast at Confederation Park, not only will the public have greater access to the activity but the city-wide support of this event will be more clearly shown and strengthened.

For further information, please contact either Lucinda Buchanan at 547-5786 or me at 389-1922. Thank you for your help.

Sincerely,

Jane Larimer, Residence Manager

COMMITTEE OF THE WHOLE (Cont'd)

(B) That council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

COMMITTEE OF THE WHOLE IN CAMERA

That Council resolve itself into the Committee of the Whole In Camera to consider the following items:

(1) Car allowances.

(2) Land sale - Davidson Street.

(3) Land acquisition - 79 North Street.

(4) Land sale - Industrial Lands - CKWS

(5) Reorganization - Personnel Department.

(6) Land acquisition - Kingston & Pembroke Railway right-of-way.

(B) That Council rise from the Committee of the Whole In Camera and the Chairman report.

- or alternatively -

That Council rise from the Committee of the Whole In Camera without reporting.

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

(C) That the Report of the Committee of the Whole In Camera be adopted, approved and confirmed.

BYLAWS

(A) That By-Laws 1 and 2 be given their First & Second Readings.

(B) That By-Law 2 be given its Third Reading.

BYLAWS (Cont'd)

(1) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Driveway - 23 Lockinvar Road).

FIRST & SECOND READINGS PROPOSED NO. 80-149
Clause 21, Report No. 55, 1980

(2) A By-Law to Confirm the Proceedings of Council at its Special Meeting held on July 2, 1980.

THREE READINGS PROPOSED NO. 80-150
City Council Meeting No. 36, 1980

ADJOURNMENT

QUEEN'S UNIVERSITY
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AUG 05 1980

CITY COUNCIL MEETING NO. 36

Pursuant to Rule No. 3 of By-Law No. 1, a Special Meeting of City Council was summoned by Mayor Keyes for Wednesday, July 2, 1980 at 7:30 p.m. in the Council Chambers at City Hall, followed by an In Camera session. His Worship Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Tarnowecky (arrived at 8:40 p.m.), Ald. Timmins, Ald. Webb (12)

ADMINISTRATIVE STAFF PRESENT

Mr. B. Cousens, City Treasurer; Mr. D. Fluhrer, Commissioner of Parks and Recreation; Mr. R. Hamilton, Chief Administrative Officer, Mr. M. Healy, City Clerk; Mr. N. Jackson, City Solicitor and Mr. K. Ready, Director of Personnel.

Also present was Mrs. M. Houghton, Assistant to the City Clerk.

COMMUNICATIONS

Council consented to the addition of Communication Nos. 467 to 470.

Which has been Referred to the City of Kingston Planning Board

(461) From Mr. J.B. Cooney, 37 Brant Avenue, Kingston, concerning Zoning By-Law No. 80-92 and objecting to the intention of the City of Kingston to rezone the affected area from Zone A3 and Zone P, thereby permitting the City to subdivide a portion of the former Kingscourt Public School grounds.

Mr. Cooney claims that when the entire Kingscourt area was developed the tax base was established for that area in particular, and the City in general, on the basis of that parcel of land being tax emempt. Over the twenty years that Mr. Cooney has resided at his present address, he has assisted to purchase the property for the Board of Education through payment of his taxes. Now, it is his understanding that the Board of Education has sold it to the City of Kingston and the tax payers are obliged to buy it again.

Mr. Cooney does not understand why there is such an urgency to subdivide and build houses on the said property after the school is torn down when the apartment vacancy in Kingston and the district is the highest on record (5.4%). He also points out that there are approximately 3,500 listings of property for sale in Kingston and the surrounding area at the present time and there are still at least 15 new houses built by Dacon, north of Q.E.C.V.I. in Rockcliffe Estate which have been vacant and unsold for nearly two and a half years. These houses are located only a few blocks from the proposed development.

Mr. Cooney feels that undeveloped service land would sell at a much higher value in the future than under the current real estate conditions. He states that he would be in favour of developing the entire parcel of land for a park at the present time with at least a five year moratorium on the building of permanent structures.

A05

File No. 25-2.16-3

COMMUNICATIONS (Cont'd)

Filed

(462) From Ald. James Nelson Clark advising that he will be on holidays from June 30th until August 19th and therefore will be unable to attend any meetings held during that time.

File No. 3-6

Which has been Referred to the City of Kingston Planning Board

(463) From the Township of Kingston advising of their passing of By-Law 80-45 on June 17, 1980 to regulate land use pursuant to section 35 of the Planning Ac

The last date for filing objections to this by-law is July 15, 1980. If no notice of objection has been filed with the Clerk of the Township of Kingsto within the time provided, the by-law thereupon comes into effect and does no require the approval of the Ontario Municipal Board.

File No. 21-4.11

Filed

(464) From the Ministry of Correctional Services forwarding their pamphlet entitle "Correctional Update".

File No. 17-9

Referred to the Kingston Planning Board

(465) Copy of a letter to the Honourable William Davis, Premier of Ontario, from Mr. J.B. Sampson with regard to the 140 Unit Condominium at the corner of Bath Road and Sir John A. MacDonald Blvd.

Mr. Sampson states that, up until the late 1960's, no apartment structure was permitted beyond 3 storeys on this site. Therefore, early in the 1970's, Mr. Sampson asked the O.M.B. to convene, at which time they did, on the promise of the municipality that they would concede the 50 units per acre as applied for.

Although the City of Kingston Official Plan permits the 50 units per acre, with the average of two bedroom units and Zoning By-law 8499, section 138, specifically refers to the location permitting 53.3 units per acre, the maximum number of permissible dwelling units shall be 140 and in spite of the OMB Order dated February 28, 1978 approving the 53.3 dwelling units on the subject property, Mr. Sampson was faced with the obstruction under Section 4.48 of the individual gross floor areas of the building expressed as a percentage of lot area.
In effect, therefore, Section 4.48 reduces the quantum of units to 67 in face of the Board's Order of the 140 units.

This project is being delayed owing to the dispute on "Lot Occupancy", i.e., whether the Official Plan, the Zoning By-Law and the Board's Order is to be thwarted by Section 4.48 interpretation of Lot Occupancy.
Mr. Sampson is therefore requesting assistance from the Premier of Ontario in urging the Board to accelerate the Hearing date on this matter.

File No. 25-2.3-13

COMMUNICATIONS (Cont'd)

Filed

(466) From Parks Canada inviting Mayor Keyes and members of council to attend a brief opening ceremony of the Kingston Mills Lockstation Blockhouse on Sunday, July 6, 1980 at 1:30 p.m.

(Note: Copies have been distributed to all members of Council)

File No. 3-6

Referred to the City of Kingston Planning Board

(467) From Mr. J.B. Cooney withdrawing his objection to zoning By-law No. 80-92. Although he does not agree with the City's intention to build houses on the Kingscourt Public School property, at the same time he is not prepared to accept the responsibility of holding up the project.

File No. 25-2.16-3

(468) From Swan, Carty, Belch & Ryan, Barristers & Solicitors, on the behalf of Jenkins Aircraft Ltd., registering an objection to the passage of By-Law No. 80-115. (Seven storey apartment building containing 89 dwelling units on the west side of Ontario Street between West Street and Lower Union Street - Clause 3, Report No. 45, 1980).

File No. 25-2.16-4

(469) Memorandum from Mr. N. Jackson, City Solicitor, enclosing a letter from Homestead Landholdings Ltd. notifying that at the O.M.B. hearing on July 8, 1980, the company is proposing to offer an amendment to the draft by-law to provide for a total number of 320 dwelling units instead of 450.

(It is proposed that Planning Board request Homestead Landholdings Ltd. to submit their revised plan)

(Note: Copies have been forwarded to all members of Council)

File No. 25-2.4-24

(470) From the estate of Melville E. Binnington submitting an application for a zone change for their property located on the north side of Counter Street to conform to zoning of the Clyde Farm property immediately adjacent to the east limit of this property (By-law 80-94) and also to conform to the present City classification of M.177 for former M classification.

File No. 25-2

PETITION

(1) A petition was received from Ald. Grant Timmins signed by approximately 80 people objecting to the rezoning application by Homestead Land Holdings, re Block "S", Plan 1158, Calvin Park, on Bath Road near Portsmouth Avenue.

(Note: The O.M.B. hearing on this matter has been scheduled for July 8, 1980 in the Council Chambers, City Hall, at 10:00 a.m.)

File No. 25-2.4-24 *FILED*

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Bishop,
Seconded by Ald. Clements,

That Council resolve itself into the Committee of the Whole to receive Report No. 56 of the City of Kingston Planning Board and Report No. 57 of the Chief Administrative Officer.

CARRIED

(B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that Report No. 56 of the City of Kingston Planning Board and Report No. 57 of the Chief Administrative Officer were considered in the Committee of the Whole as follows:

REPORTS

Ald. Clements presented Report No. 56 of the City of Kingston Planning Board.

Moved by Ald. Clements,
Seconded by Ald. Knapp,

That Report No. 56 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 56

June 25, 1980.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

REPORTS (Cont'd)

Report No. 56 - City of Kingston Planning Board

Ald. Gerretsen declared a conflict of interest in Clause 1 as he has a pecuniary interest.

Ald. McArthur declared a conflict of interest in Clause 1 as he owns property being negotiated for in the N.I.P. area.

1. WHEREAS there are unexpended funds in the Neighbourhood Improvement Program; and

WHEREAS the Program must be completed by the end of 1980; and

WHEREAS it is desirable that these funds be used for further improvements in the N.I.P. Area; and

WHEREAS the Planning Board has consulted with the N.I.P. Citizens' Committee and jointly with the Committee has held a public meeting to give citizens of the area an opportunity to consider the proposed improvements;

THEREFORE BE IT RESOLVED THAT the Neighbourhood Improvement Program 1980 Supplementary Program, which is attached hereto as Schedule 'A', be adopted and that the Redevelopment Plan be amended accordingly;

- and further -

That the expenditure of $133,125 for the supplementary program is to be subject to approval by the City's Administrative Staff and the N.I.P. Committee.

CARRIED AS AMENDED
Ald. Gerretsen & Ald. McArthur abstained from voting
(See following motion of amendment)

Moved by Ald. Webb,
Seconded by Ald. Matthews,

That Clause 1 be amended to add the following sentence at the end of the fifth paragraph:

"- and further -

That the expenditure of $133,125 for the supplementary program is to be subject to approval by the City's Administrative Staff and the N.I.P. Committee."

CARRIED
Ald. Gerretsen & Ald. McArthur abstained from voting

REPORTS (Cont'd)

Report No. 56 - City of Kingston Planning Board

2. WHEREAS the Township of Kingston has notified of the passing of By-Law No. 80-45, the effect of which is to rezone to Special Light Industrial (M2-18) lands located on the west side of Kingston Mills Road (Lot 33, Concession 4, Township of Kingston) to permit the establishment of a retail plumbing sales outlet and offices, a shop for a plumbing contractor and a retail pool sales outlet; and

WHEREAS the Planning Board has considered this by-law and is of the opinion that there will be no adverse effect on lands within the boundaries of the City of Kingston;

THEREFORE BE IT RESOLVED that no action be taken on the Notice of the Passing of By-Law No. 80-45 of the Township of Kingston.

CARRRIED

Respectfully submitted,

(Signed) *John Clements* (Chairman)
K. Matthews
Ken Keyes
W. Knapp
G. Timmins

Schedule 'A' to Report No. 56
(Page 1)

PROPOSED N.I.P. SUPPLEMENTARY PROGRAM

Priority of NIP Committee	Description	Estimated Cost
		$
1	Street Lighting Improvements: 125 low pressure sodium vapour luminaires (55 watts) including Montreal Street	42,625
2	Artillery Park: roof over gym area insulate, new roof, fans under roof	15,000
3	Artillery Park: convert one bay into offices	8,000
4	McBurney Park: total upgrading	14,500
5	Bargain Barn: North Street Hill - appraised value	12,000
6	Artillery Park - mechanical room improvements, storm windows throughout, gym floor markings & stanchions for net posts	5,000
7	Robert Meek School - fence along east boundary	8,000
8	Artillery Park - upgrading change and shower room	25,000
9	Artillery Park - door to spectator area of pool room	3,000
	Total Cost :	$133,125

REPORTS (Cont'd)

Report No. 57 - Chief Administrative Officer

Council consented to the addition of Clauses 5 and 6.

Ald. Clements withdrew at 8:15 p.m.

REPORT NO. 57

June 27, 1980.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That the following terms of reference for the Special Committee on Downtown Revitalization, which was set up by Council at its meeting on April 28, 1980, be approved:

   a) to negotiate with Chartwood Developments Ltd. and the Province of Ontario;
   b) to make recommendations to Council on all matters concerning the downtown revitalization program;
   c) to act as liaison between the City and the merchants;

   said Committee to consist of the following people:

Mayor Ken Keyes (Chairman) Ald. J. Gerretsen (Vice-Chairman) Ald. M. Gorham, Ald. G. Webb	Voting Members
Mr. R.J. Hamilton, Mr. G.G. Muirhead, Mr. N.C. Jackson, Mr. B.G. Cousens, Mr. J. Van Haastrecht,	Non-Voting Advisory Members

CARRIED

Mr. Cousens withdrew at 8:20 p.m.
Mr. Ready withdrew at 8:25 p.m.
Ald. Clements returned at 8:25 p.m.

REPORTS (Cont'd)

Report No. 57 - Chief Administrative Officer

2. That, as recommended by the Special Committee on Downtown Revitalization, the Province of Ontario be requested to supply the City with a list of acceptable consultants.

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Matthews,
Seconded by Ald. Bishop,

That Clause 2, Report No. 57, be amended to delete after the word "consultants" the following words:

"one of whom will be selected by the City to conduct a market impact study of the downtown area to include the proposed development by Ivanhoe Inc.;

- and further -

that Chartwood Developments Limited be requested to pay 50% of the costs of such a study."

CARRIED

Mr. Ready returned at 8:35 p.m.
Mr. Cousens returned at 8:36 p.m.

3. That, as recommended by the Commissioner of Parks and Recreation, notwithstanding the fact that the City is presently soliciting proposals for Mobile Home Food Services throughout the parks system, the Kingston Senior Baseball Club be allowed to place a mobile food vehicle at Megaffin Stadium, but only at such times as they are playing home games (exhibition or league games) for 1980 only.

(Note: A copy of a report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 4 Pages.)

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Clements,
Seconded by Ald. Lampropoulos,

That Clause 3, Report No. 57 be amended to add at the end of the last sentence the words "for 1980 only".

CARRIED

REPORTS (Cont'd)

Report No. 57 - Chief Administrative Officer

4. That, as recommended by the Commissioner of Parks and Recreation, approval be given to the Kingston Artist Association Inc. and the Performing Arts Office to use Confederation Park on the evening of July 13, 1980, to hold a "Meet the Cast - Weiner Roast" which will start around 6:00 p.m., it being noted that the weiners and refreshments available will be sold at a nominal charge.

(Note: A copy of the Report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 2 pages.)

CARRIED

Ald. Tarnowecky arrived at 8:40 p.m. and withdrew at 8:42 p.m.

5. That, as recommended by the Director of Purchasing, the tender of Blaine Powell (Enterprise) in response to Tender No. 80-30 for the demolition of Kingscourt Public School in the amount of $11,900.00 be accepted subject to the entering into of a formal agreement satisfactory to the City Solicitor;

- and further -

That the Mayor and City Clerk be authorized to sign the necessary agreement.

(Note: A copy of the report of the Director of Purchasing is attached hereto as Schedule "C", 1 page)

LOST AS AMENDED 4:8 (Recorded)
(See following motions)

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Clause 5, Report No. 57 be amended to delete the words "Amherst Construction Limited" and substitute the words "Blaine Powell (Enterprise)" and to delete the figures "$12,000.00" and substitute the figures "$11,900.00".

CARRIED 7:6
(See following recorded vote on Clause 5, Report No. 57, as amended, which was Lost 4:8)

Ald. Timmins requested a recorded vote on Clause 5, Report No. 57, as amended, which was as follows:

YEAS: Ald. Clements, Ald. Gerretsen, Ald. Knapp, Ald. Webb (4)

NAYS: Mayor Keyes, Ald. Bishop, Ald. Gorham,
Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews,
Ald. McArthur, Ald. Timmins (8)

(See following motion for reconsideration)

(2) Moved by Ald. Bishop,
Seconded by Ald. Timmins,

That Clause 5, Report No. 57, be reconsidered.

CARRIED 10:2
Ald. Clements & Ald. Gerretsen opposed

REPORTS (Cont'd)

Report No. 57 - Chief Administrative Officer

5. (Cont'd)

(3) Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That, as recommended by the Director of Purchasing, the tender of Amherst Construction Limited in response to Tender No. 80-30 for the demolition of Kingscourt Public School in the amount of $12,000.00 be accepted subject to the entering into of a formal agreement satisfactory to the City Solicitor;

- and further -

That the Mayor and City Clerk be authorized to sign the necessary agreement.

CARRIED 8:4
Ald. Clements & Ald. Gerretsen opposed

Ald. Tarnowecky returned at 8:50 p.m.

6.A. That, as the Director of Planning & Urban Renewal has stated in the attached memorandum (Schedule "D", 1 page) that the proposed building shall be subject to site plan control and this will be sufficient to cover the concerns of the Local Architectural Conservation Advisory Committee in that all site plan control applications are referred to L.A.C.A.C. for approval, the following clause 7, Report No. 55, now clause 6B, Report No. 57, be considered.

CARRIED

6.B. " **Whereas the Committee of Adjustment has approved the application of Wilfred and Nathalie Sorensen to sever part of their property, being Part 2 on Reference Plan 13R-4017, a copy of which is attached hereto as Schedule "D",** *Page* 3;

And whereas this application was approved subject to the applicants entering into an agreement with the City of Kingston, said agreement to include the following conditions:

(a) That the setback for the new single family residence shall be equal to the setback of the existing stone building known as 26 Centre Street, said setback not to include a sunken garage.

(b) That the proposed building shall be subject to site plan control.

- and further -

That the Mayor and City Clerk be authorized to sign said agreement. "

(Note: A copy of the report of the City Solicitor is attached hereto as Schedule "D", 3 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 57 - Chief Administrative Officer

Council consented to the addition of the motion of Ald. Hawkins and Ald. Gorham as Clause 7 to Report No. 57.

Ald. McArthur declared a conflict of interest in Clause 7 as his son is involved in the operation of the canteen.

7. Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That council grant permission to the Kingscourt Baseball Team to operate a canteen for tournaments, exhibitions and all star games at Megaffin Stadium and the Cricket Field during the 1980 season.

CARRIED

Ald. McArthur abstained from voting

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

JUN [illegible]

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: June 25, 1980

SUBJECT: REQUEST FOR PERMISSION TO OPERATE A CHIP WAGON AT MEGAFFIN STADIUM FOR THE PONIES HOME GAMES

ORIGIN: The Kingston Senior Baseball Club (see letters attached).

ANALYSIS: The Kingston Senior Baseball Club has made an agreement whereby they can develop some revenue to help offset their operating costs through an arrangement with a local Mobile Food Dispensing Operator. It has been observed that the fans appreciate the service and, certainly, the ball club needs the financial assistance.

RECOMMENDATION: Notwithstanding the fact that we are presently soliciting proposals for Mobile Food Services throughout the parks system, it is recommended that the Kingston Senior Baseball Club be allowed to place a mobile food vehicle at Megaffin Stadium, but only at such times as they are playing home games (exhibition or league games).

Doug R Fluhrer

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
c.c. to: Peter N. Lawson, Director of Operations,
Parks & Recreation Department.

Mr. Claude Scilley,
Kingston Senior Baseball Club.

Schedule *"A"* to Report No. *57*
(Page *2*)

COPY TO: R.J. Hamilton
DEPT: C.A.O.
FROM: PARKS & RECREATION DEPT.

COMMISSIONER
DOUGLAS R. FLUHRER

CORPORATION OF THE
CITY OF KINGSTON
DEPARTMENT
OF
PARKS & RECREATION

CITY HALL
KINGSTON ONT
K7L 2Z3

June 25, 1980

Mr. Claude Scilley,
Kingston Senior Baseball Club,
P.O. Box 1395,
KINGSTON, Ontario.

Re: Mobile Food Wagon - Megaffin Stadium

Dear Mr. Scilley:

As stated in Mr. Lawson's letter, the fact that the chip wagon is operating on park lands leaves me no alternative but to reply in the negative.

I do not have the authority to waive City By-laws, and this must be done by Council. We certainly appreciate the financial problems that you have, but unless Council waives the by-law, it is illegal to proceed. I am more than prepared to make a recommenda tion to Council in support of your request; however, the next regular Council meeting is not until July 7th and, therefore, in the meantime, the presence of this chip wagon is contrary to City By-laws.

Yours truly,

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
c.c. to: R. J. Hamilton, C.A.O.; ✓
Peter N. Lawson, Director of Operations,
Parks & Recreation Dept.

Schedule "A" to Report No. 57
(Page 3)

Kingston Senior Baseball Club
P.O. Box 1395
Kingston, Ontario
June 12, 1980

PARKS AND RECREATION
JUN 16 1980
REC'D.

Mr. Douglas Fluhrer,
Administrator,
Dept. of Parks and Recreation,
City Hall,
Kingston, Ontario

Dear Mr. Fluhrer,

I am writing on behalf of Kingston Senior Baseball Club in regard to a mobile food dispensing operator (chip wagon) servicing our games at Megaffin stadium this season.

We do not wish to create any difficulties, there I am requesting permission of your department and City Council to enter into an agreement with an operator to vend food and beverages at Megaffin stadium at our games only.

The club is in need of such revenue to apply to operating expenses.

We hope that there will be no difficulties.

Thank you.

Sincerely,

Claude Scilley

Claude Scilley

Schedule "A" to Report No. 57
(Page 4)

June 5, 1980.

Mr. Don Senior,
152 Morenz Crescent,
Kingston, Ontario.
K7K 2X3

Dear Mr. Senior:

It has been brought to my attention recently that a mobile food service (chip truck) has been setting up and selling food at the Megaffin Stadium site. For information purposes, this type of action directly contravenes City By-Law No. 19, and as such, is not permissible unless appropriately approved by City Council.

I am directing this correspondence to you, as our contact with the Senior Baseball Club, such that, if your Club has enacted arrangements for such a service at the Megaffin site, I would appreciate your co-operation in seeing that it ceases as soon as possible. Should your Club not be directly involved in this arrangement, I would still appreciate your co-operation in passing on this information to the person who is operating the business.

Certainly, our Department appreciates the need for some type of canteen service for spectators in a number of public parks around the city; and, to this end, we have recently received Council approval to call Tenders for mobile food services for a number of designated City parks, including Megaffin. Possibly the person now setting up at Megaffin may be interested in tendering on such, when the tender is prepared and advertised in the near future.

Your anticipated co-operation is much appreciated. Thank you.

Yours truly,

PNL/cb

Peter N. Lawson,
Director of Operations.

c.c. Ald. Joe Hawkins, 607 MacDonnell St.
Mr. George Fournier, 180 Morenz Cresc.
Douglas R. Fluhrer, Commissioner, Parks & Recreation
Stan Galt, Supervisor of Recreation

Schedule *"B"* to Report No.*57*
(Page *1*)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: June 26, 1980

SUBJECT: REQUEST TO SELL FOOD - CONFEDERATION PARK - JULY 13, 1980, ON THE OCCASION OF A CELEBRATION IN THE EVENING TO INTRODUCE THE CAST OF "SPRING THAW" TO THE CITIZENS OF THE COMMUNITY (See attached letter)

RECOMMENDATION: In view of the benefits this will provide the citizens of Kingston in learning more about the performing arts within the community, it is recommended that this request be granted.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachment.

c.c. to: Peter N. Lawson,
Director of Operations,
Parks & Recreation Department.

Schedule "B" to Report No. 57
(Page 2)

PARKS AND RECREATION
JUN 11 1980
REC'D.

PERFORMING ARTS OFFICE

Queen's University
Kingston, Canada
K7L 3N6
Tel. 613 547-5786/2883
Box Office 613 547-6194

June 11, 1980

Mr. Douglas R. Fluhrer
Commissioner, Parks and Recreaction
City Hall
Kingston

Dear Mr. Fluhrer,

I am writing to ask permission to use Confederation Park on the evening of July 13, 1980. The Kingston Artist Association Inc. and the Performing Arts Office are sponsoring a series of activities during the residency of the musical revue "Spring Thaw" with the help of Ministry of Culture and Recreaction grants. In conjunction with this residency, The Vaults restaurant would like to host a "Meet the Cast - Weiner Roast" at Confederation Park starting around 6 p.m. We would like to have small charcoal burners, weiners and refreshments available at a nominal charge, and marshmallows and sticks for free.

The list of "Spring Thaw" events includes, other that the performances at the Grand Theatre from July 11-19, a civic luncheon with guest speaker Arnold Edinborough, hosted by the Chamber of Commerce; a workshop on technical aspects of producing a musical revue sponsored by Domino Theatre, and a series of four workshops on various topics (ranging from "How to Tour a Show" to "Liability of Satirical Materials") sponsored by the K.A.A.I. All workshops are open to the public.

As you can see, this residency period is supported by many civic organizations. By holding the weiner roast at Confederation Park, not only will the public have greater access to the activity but the city-wide support of this event will be more clearly shown and strengthened.

For further information, please contact either Lucinda Buchanan at 547-5786 or me at 389-1922. Thank you for your help.

Sincerely,

Jane Larimer

Jane Larimer, Residence Manager

Schedule "C" to Report No. 57
(Page 1)

Director of Purchasing.

July 2, 1980.

TO: Mr. D. Fluhrer,
Commissioner of Parks.

ROM: M. J. Ewart,
Director of Purchasing.

E: Tender No. 80-30
Demolition of Kingscourt Public School.

---

ear Mr. Fluhrer:

Three bids only, as setout hereunder, were received in response to the subject ender Invitation for the demolition of (former) Kingscourt Public School building.

Harold's Demolition Inc.(Kingston)	$26,000.00
Blaine Powell (Enterprise)	$11,900.00
Amherst Construction Limited	$12,000.00

It is recommended for consideration that the tender of Amherst Construction imited be accepted subject to the entering of a formal agreement satisfactory to the ity Solicitor.

In support of this recommendation it was considered of moment that:--

1. The low bid is submitted by an unknown individual as opposed to a local imited company.

2. The firm, in mention, offer a sooner completion projection(by two weeks). he right of the Corporation to claim liquidated damages to ensure completion compliance emains unimpinged.

3. The price differential of $100.00 is not sufficient to delay implementation ue to potential susceptibility of property to vandalism.

Yours very truly,

M. J. Ewart,
Director of Purchasing.

JE/vn

c. Mr. R. Hamilton,
Mrs. Marion Houghton.

Schedule "D" to Report No.57
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO

July 2, 1980.

Mr. M.C. Healy,
City Clerk.

Re: Report No. 55 - Clause 7.
Committee of Adjustment
Application No. 1152-78 -
Wilfred & Nathalie Sorensen,
26 Centre Street

Dear Mr. Healy:

This is to advise you that with respect to the above Agreement the condition set out in the Agreement stating "that the proposed building shall be subject to site plan control" will be sufficient to cover the concerns of the Local Architectural Conservation Advisory Committee in that all Site Plan Control applications are referred to LACAC for approval.

Yours very truly,

G.G. Muirhead, M.C.I.P.
Secretary,
Local Architectural Conservation
Advisory Committee.

GGM/mm

Schedule "D" to Report No. 57
(Page 2)

Office of the
City Solicitor

Our Ref. No. C-61

JUN 13 1980

MEMORANDUM

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: Norman C. Jackson,
City Solicitor

DATE: June 11th, 1980

RE: Application to the Committee of Adjustment
for Severence - Wilfred and Nathalie Sorensen,
26 Centre Street, Kingston

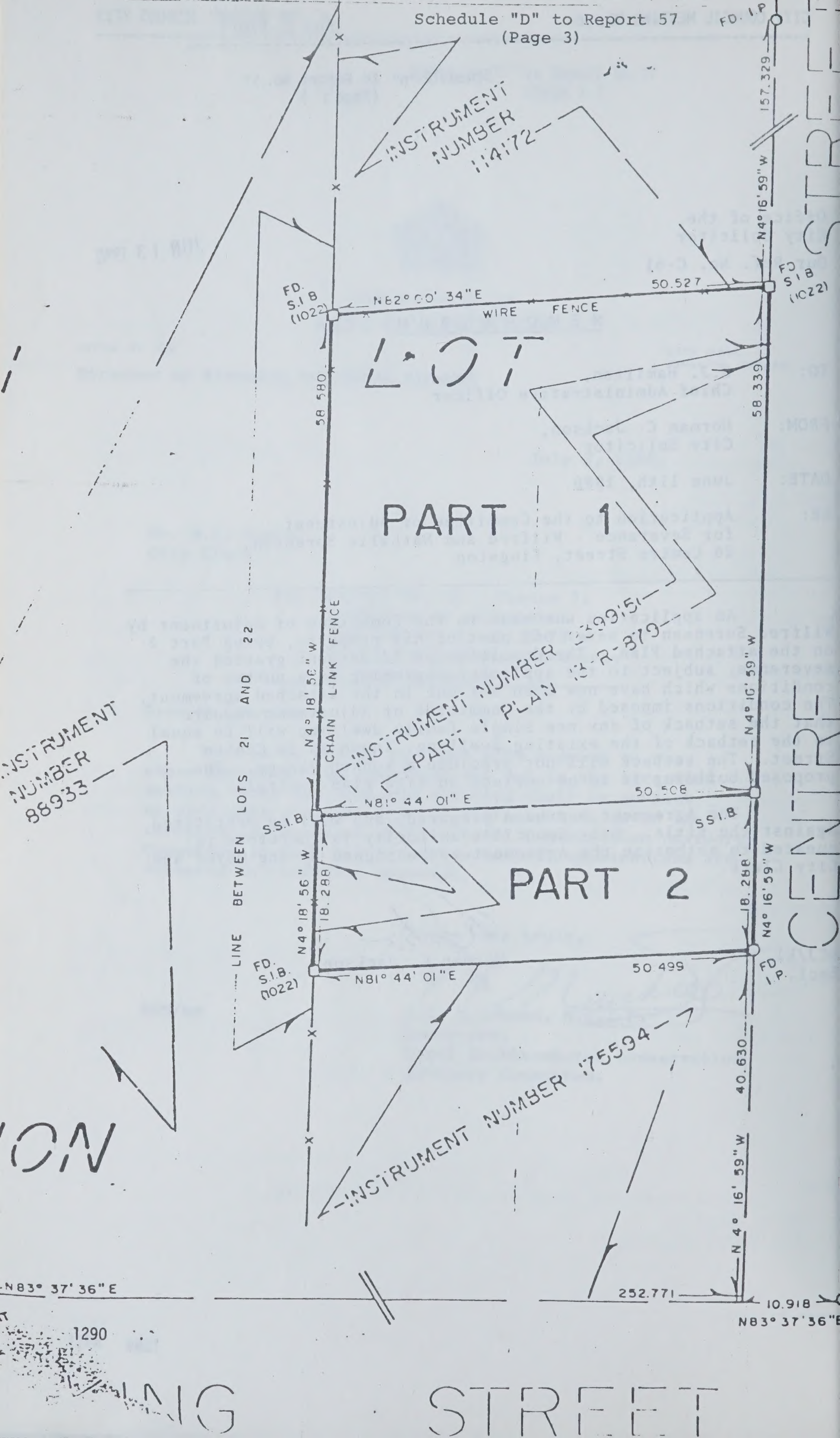
An application was made to the Committee of Adjustment by Wilfred Sorensen to sever off part of his property, being Part 2 on the attached Plan. The Committee of Adjustment granted the severence, subject to the applicants agreeing to a number of conditions which have now been set out in the attached agreement. The conditions imposed by the Committee of Adjustment require that the setback of any new single family dwelling will be equal to the setback of the existing dwelling, known as 26 Centre Street. The setback will not preclude a sunken garage. The proposed building is to be subject to site plan control.

The Agreement has been prepared, and will be registered against the title. City Council's authority is therefore requested to authorize the Agreement to be signed by the Mayor and City Clerk.

Norman C. Jackson

NCJ/kl
Encl.

Schedule "D" to Report 57
(Page 3)


FD I.P.
157.329
N4° 16' 59" W
INSTRUMENT NUMBER 114172
FD. S.I.B (1022)
50.527
FD S.I.B (1022)
N82° 00' 34" E
WIRE FENCE
LOT
58.580
58.339
PART 1
INSTRUMENT NUMBER 339151
PART 1 PLAN 13 R-879
N4° 18' 56" W
CHAIN LINK FENCE
N4° 16' 59" W
INSTRUMENT NUMBER 88933
LINE BETWEEN LOTS 21 AND 22
S.S.I.B
N81° 44' 01" E
50.508
S.S.I.B
18.288
PART 2
18.288
N4° 16' 59" W
FD. S.I.B. (1022)
N81° 44' 01" E
50.499
FD I.P.
ION
INSTRUMENT NUMBER 175594
40.630
N 4° 16' 59" W
N83° 37' 36" E
252.771
10.918
N83° 37' 36" E
1290
NG STREET
CE

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

COMMITTEE OF THE WHOLE IN CAMERA

Moved by Ald. Bishop,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole In Camera to consider the following items:

(1) Car allowances.

(2) Land sale - Davidson Street.

(3) Land acquisition - 79 North Street.

(4) Land sale - Industrial Lands - CKWS

(5) Land acquisition - Kingston and Pembroke Railway right-of-way

(6) Reorganization - Personnel Department

CARRIED

(B) Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole In Camera and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

The Chairman reported that the following motions were considered in the Committee of the Whole In Camera:

(1) Moved by Ald. Bishop,
Seconded by Ald. Clements,

That, as recommended by the Committee to Inspect Car Allowances, an offer be made to the seven employees in the Building Inspection Department to increase their car allowances from $135 to $142 per month effective May 1, 1980 and the next review date to be at the end of 1980 at which time all employees' car allowances will be reviewed, including the Building Inspection Department and if accepted, be approved.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA (Cont'd)

2. Moved by Ald. Tarnowecky,
Seconded by Ald. Webb,

That the recommendation of the Chief Administrative Officer to present a by-law to Council to fix the price at which the stopped up portion of Davidson Street, west of Pembroke Street, is to be sold to the abutting property owners be tabled until July 14th 1980 and the following points be clarified:

i) The length of the frontage of the parcel of land to be offered to the abutting property owner - Beatrice L. Scammell.

ii) The actual face value of the portion (10' x 60') approximately to be offered for sale to Mr. D. Herrington.

iii) The square foot rate paid by the persons who purchased portions of the former Egg Grading Station property.

CARRIED

3. Moved by Ald. Hawkins,
Seconded by Ald. Tarnowecky,

That the offer of Thomas Lemmon & Sons (1973) Limited to sell their property, known as 79 North Street, to the City of Kingston for the amount of $125,000.00 not be accepted and no further negotiations be undertaken for the acquisition of this property.

CARRIED 9:4

4. Moved by Ald. Bishop,
Seconded by Ald. Clements,

That the sale to CKWS of a portion of City land about 110' east of Aberfoyle Road on Counter Street North - (250' on Counter Street with a depth of 260') at a price of $25,000.00 per acre i.e. 1.5 acres $37,500. with the water servicing charge of $27.50 per foot frontage to be paid by C.K.W.S. on the following conditions be authorized and finalized:

The City shall be responsible for the following services:

a) Sanitary sewer servicing	$24,000.00
Water works servicing along Counter Street	7,000.00
	$31,000.00

b) The City shall obtain a survey of the property.

c) C.K.W.S. shall be required to pay for any future local improvement charges over and above the sewer and water referred to above.

d) C.K.W.S. shall be requested to erect a building approximately 5,280 sq. ft. - this would be in accordance with zoning and site plan approval - within two years.

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA (Cont'd)

4. (Cont'd)

e) If all conditions are not met, title will revert to the City at purchase price plus interest at prime rates (chartered bank).

and further -

That an extension of water across Road "X" at an estimated cost of $8,000 be approved.

and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
317-83 Public Works - Contributions from Revenue - Sanitary Sewers	$39,000.	
Finance Contingencies		$39,000.

CARRIED.

CARRIED 9:4

Ald. Gerretsen opposed

5. Moved by Ald. Clements,
Seconded by Ald. Knapp,

That the City acquire a portion of land being triangular shaped on the north side of Brock Street adjacent to the Canadian National Railways abandoned right-of-way that the City now owns and being an area approximately 1,850 sq. ft. more-or-less at a price of $4.00 per sq. ft. for a total cost of $7,400 from the Kingston and Pembroke Railway Company.

- and further -

That the following budget transfer be approved:

	Increase	Decrease
Finance contributions from current revenue	$7,400.	
Finance contingencies		$7,400.

CARRIED

6. Moved by Ald. Bishop,
Seconded by Ald. Hawkins,

That pursuant to Rule No. 16 of By-Law No. 1, permission be given to extend the council meeting until completion of the agenda.

CARRIED

7. Moved by Ald. Clements,
Seconded by Ald. Lampropoulos,

That, as recommended by the Chief Administrative Officer, the proposed job description covering the position of Administrative Assistant-Personnel be not approved.

CARRIED UNANIMOUSLY
(See Recorded Vote)

Ald. Webb requested a recorded vote which was as follows:

REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA (Cont'd)

7. (Cont'd)

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (13)

NAYS: (0)

8. Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Clerk V position not be filled at this time and that the Personnel Department reorganization be studied and a report be prepared by the Chief Administrative Officer and the Director of Personnel to include new job descriptions for all employees in the Department by October 1st 1980 for presentation to Council.

CARRIED

9. Moved by Ald. Webb,
Seconded by Ald. Gorham,

That the Chief Administrative Officer take whatever steps he deems fit to maintain the efficiency of the Personnel Department.

CARRIED
Ald. Tarnowecky & Ald. Gerretsen opposed

10. Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That a caucus meeting of Council be arranged to meet with the Chief Administrative Officer.

CARRIED

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the Report of the Committee of the Whole In Camera be adopted, approved and confirmed.

CARRIED

BYLAWS

(A) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That By-Laws 1 and 2 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That By-Law 2 be given its Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Driveway - 23 Lockinvar Road).

FIRST & SECOND READINGS PROPOSED NO. 80-149
Clause 21, Report No. 55, 1980

(2) A By-Law to Confirm the Proceedings of Council at its Special Meeting held on July 2, 1980.

THREE READINGS PROPOSED NO. 80-150
City Council Meeting No. 36, 1980

ADJOURNMENT

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That council do now adjourn.

CARRIED

Council adjourned at 11:40 p.m.

(L.S.).

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

QUEEN'S UNIVERSITY
DOCUMENTS LIBRARY
AUG 0 5 1980

CITY COUNCIL MEETING NO. 37

The Regular Meeting of City Council will be held on Monday, July 14, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chambers at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE IN CAMERA

(A) That Council resolve itself into the Committee of the Whole In Camera to consider the following item:

(1) Land Sale - Davidson Street

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole In Camera and the Chairman report.

- or alternatively -

That Council rise from the Committee of the Whole In Camera without reporting.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 34 held on June 9, 1980 and the Minutes of Meeting No. 35 held on June 23, 1980 be confirmed.

COMMUNICATIONS

To be Filed

(471) Copy of a letter to the Honourable Thomas L. Wells, Minister of Intergovernmental Affairs, from the Association of Municipalities of Ontario expressing their disappointment with the decision of the Government to retain the uniform two-year term of office for all municipalities in Ontario.

(Note: Copies have been distributed to all members of Council)

File No. 1-5

AO5

COMMUNICATIONS (Cont'd)

(472) From Mr. Brian Oliverira of Toronto forwarding the following poem which he wrote about the Quebec referendum dedicated to a new and renewed Canada.

Maple Leaf On White and Red

In crystal ball or questioned star
We don't know who we really are!
The Stars and Stripes from nearby page,
The Union holds in hearts of age...
Amidst it all the Leaf was born:
And folk have had their feelings torn.
The Fleur-de-lis amidst the blue
Then struck at blue, the other hue:
For Liberty, perhaps was here,
Fraternity, was ne'er too clear-
Equality? you guessed it right-
The 'royals' scud with skillful might
Like kids at marbles call the play
And play if things are going their way.
The Fleur-de-lis purports to say
'Tis time we saw a different day,
The spearhead voice through thick and thin,
With growing numbers hopes to win:
We'll thank the leaven in the dough
Fermenting staling status quo.

O Maple Leaf, on white and red
Perhaps, you'll live when Jack is dead:
The setting Sun will fin'lly set
'Tis sure, as sure as history's bet:
The afterglow keeps some hopes buoyed-
The dusk of change is here and poised:
Dominion days are era past
When former flags flew top the mast;
The tide in the affairs of men
Is wont to never flow again.

COMMUNICATIONS (Cont'd)

(472) (Cont'd)

O Maple Leaf, on white and red,
The dusk has set, it's time for bed:
Avoid a dalliance in the night,
Indeed, it's easy in your plight.
The eagle watching from his nest
Would love to snatch you to his breast.
Your night might be quite short, or long,
Refresh yourself, and wake up strong!
You differ from your friend below
By being yourself - and freely so;
You'll have a lot to celebrate
When Reason is the Head of State;
Survivors in your newest dawn
Will find the way to be re-born
Canadian: a will to be
Loved equal in diversity.
The spirit of the bastille bright
Is couched behind this bloodless fight:
For you, the first in destiny
Where Freedom sings Equality.

File No. 3-6

To be Referred to the City of Kingston Planning Board

(473) From the Cataraqui Region Conservation Authority on the matter of fill permit renewal, Greenwood Bros. Ltd., Lot 23 & 24, Concession III, City of Kingston, and advising that the Authority has previously granted a land fill permit to Greenwood Bros. Ltd. This permit expired on December 31, 1979 and in a letter dated May 16, 1980 to the Authority, Mr. R.A. Greenwood requested that this permit be renewed for the 1980 calendar year.

If the City has not submitted any comments to the Conservation Authority by July 25, 1980 it will be assumed that the City does not have any.

File No. 3-16

COMMUNICATIONS (Cont'd)

To be Filed

(474) From Mr. G.G. Muirhead, Director of Planning and Urban Renewal, on the subject of future zoning - Industrial Area north side of Counter Street.

Mr. Muirhead advises that both he and Mr. C. Pare, Area Economic Development Commissioner, feel that the zoning of the Counter Street Industrial Area is only one consideration in a program designed to encourage industry to locate in the City of Kingston. More important factors are the kind of land available, accessibility and its price. The general appearance of the Industrial Area is also of concern.

Mr. Muirhead and Mr. Pare agree that the most attractive land is the 170 acres that was proposed by Alcan Canada Products for industrial development and that efforts should be made to either acquire the land or to persuade Alcan to promote its development for industrial purposes.

File No. 25-2 and 1-2.9-3

(475) From Ms Lynn Haver advising that the Site Plan Control Committee, at its meeting held on June 27, 1980, passed the following resolution:

> "That the Site Plan Control Committee will take into consideration the concerns expressed by Ald. Webb regarding a swimming pool to be located at the rear of the Howard Johnson Hotel, at such time as a site plan control application has been received."

File No. 4-2.1

(476) From Sister Margaret Haughian, Administrator of Providence Manor, thanking the City for its grant in the amount of $12,529 and $3,971 for the Hildegarde Centre.

File No. 7-3

(477) From the Technical Advisory Committee on the Nuclear Fuel Waste Management Program forwarding a summary of the Committee's first annual report on the Nuclear Fuel Waste Management Program (May 1980). A full report is available, on request, from Dr. L.W. Shemilt, c/o Room 136, Engineering Building, McMaster University, Hamilton, Ontario.

File No. 1-1

(478) From the Canada Mortgage and Housing Corporation concerning the City of Kingston's resolution on the Residential Rehabilitation Assistance Program (Clause 5, Report No. 49, 1980).

C.M.H.C. advises that the interest rate was increased to 14½% on May 5, 1980 to reflect the cost of escalating interest rates in the private sector at that time. Previously, the interest rate had been maintained at 11¼% from October 26, 1979 until February 12, 1980 when it was raised to 12¼%. This was the period when the interest rate began escalating at a sharp pace and the R.R.A.P. rate had not changed as quickly. When the interest rates commenced falling to a level comparable to the R.R.A.P. interest rate, the R.R.A.P. rate was changed to reflect this and on May 30, 1980, the R.R.A.P. interest rate was set at 13%.

It is the hope of the C.M.H.C. that the new R.R.A.P. policy changes which have been announced by C.M.H.C.'s Minister will better reflect the social nature of the R.R.A.P. Program.

File No. 8-3.7

COMMUNICATIONS (Cont'd)

To be Filed

(479) From Sister Sheila Brady, Executive Director, St. Mary's of the Lake Hospital thanking the City for its grant in the amount of $10,000.00

File No. 7-3

Which has been Referred to the City Solicitor

(480) From the Hon. Claude F. Bennett, Minister of Housing, submitting information on the background of the sale of land to Homestead Land Holdings Limited (Block "S", Calvin Park). (Motion, June 5/80, Council Meeting #33, Pg. 1099).

The agreement entered into by Ontario Housing Corporation does not prohibit the purchaser from attempting to rezone the lands and the policy of Ontario Housing Corporation has been not to retain control of future land use when a subdivision has been assumed by the Municipality.

In January 1979 the responsibility for these lands was transferred from Ontario Housing Corporation to Ontario Land Corporation as part of a reallocation of responsibilities and Ontario Land Corporation assumed this Purchase and Sale Agreement. Ontario Land Corporation which, therefore, now holds title is not in a position to prohibit the purchaser from making a rezoning application and, therefore, is unable to make an objection to the rezoning at the O.M.B. Hearing.

(Note: Copies have been distributed to all members of Council)

File No. 25-2.4-24 & 8-3.9

Which has been Referred to All Department Heads

(481) From the Congress Secretariat: The Group Planners, Toronto, advising of an International Conference on emergency preparedness to be held at the Harbour Castle Hotel, Toronto, November 16th to 19th, 1980 sponsored by the Government of Ontario and the Association of Municipalities of Ontario.

The Conference will be of importance to people engaged in emergency planning, including those in local, provincial, state or federal governments, industrial emergency groups, and fire, police and first aid services.

(Note: Copies have been distributed to all members of Council)

File No. 5-4

To be Filed

(482) From the family of the late Mrs. Viola McArthur thanking council for its kind expression of sympathy.

File No. 3-6

(483) From the Hon. Joe Clark, Leader of the Opposition, thanking the city for the copy of its resolution regarding incentives contained in the Income Tax Act which tend to favour the use of new building stock over renovation activities (R. 49 (2) 80).

Mr. Clark advises that he has forwarded a copy of the above resolution to the Honourable Marcel Lambert, Progressive Conservation Party spokesman for income tax issues.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

To be Referred to the City Solicitor

(484) From Mrs. Irene Mooney forwarding a copy of a letter she received from the Frontenac-Lennox and Addington County Roman Catholic Separate School Board in reply to her letter to the Board on the matter of the high cost of school taxes. (Communication No. 302).

The Board feels that the increases in school taxes over the past few years are due to changes in the provincial government's policies. Mrs. Mooney states that if this is the case, then some approach must be made to the provincial government to improve the situation.

Mrs. Mooney feels that the average person cannot keep up with these increases which are coming at the same time, and on top of, other increases in the cost of living. Many people over the age of 60 are continuing to pay a tax they have paid over and over again for many years and Mrs. Mooney suggests that they at least need to be taken off the list of school tax payers.

Mrs. Mooney is requesting that council make some representation to the provincial government to lessen this burden.

File No. 21-3.2

To be Referred to the Commissioner of Works

(485) From the Ministry of the Environment advising that Regulations to apply The Environmental Assessment Act to environmentally significant municipal undertakings became effective on June 3, 1980. The Ministry has forwarded the Municipal Regulation in full together with an explanation, section by section.

This Regulation came about as a result of full and extensive consultation over the last five years with the Municipal Liaison Committee, municipal associations, individual municipalities, various other municipal representatives and public groups. As a result of this long period of consultation, the Ministry believes that it now has a Regulation that represents a reasonable compromise among all of the parties involved - the Government, the municipalities, environmental and other interest groups and the public at large.

File No. 17-9

To be Referred to the City Treasurer

(486) From the Ministry of Transportation & Communications advising that a second advance payment of subsidy in the amount of $386,100.00 is to be made to the City of Kingston. This amount is a further 30% of the city's initial subsidy.

File No. 17-9.1

COMMUNICATIONS (Cont'd)

To be Referred to the Director of Planning & Urban Renewal

(487) From the Ministry of Housing advising that effective July 7, 1980 there will be a realignment of planner areas within the Community Planning Review Branch - North and East. This will result in all of the plan review functions as they affect the City of Kingston being dealt with by one planner.

The planner assigned to this area, Linda Tennant, will be responsible for the following functions:

1. official plans and amendments.
2. plans of subdivision and condominium.
3. zoning by-laws.
4. minister's zoning orders.
5. other related planning functions (e.g. road adjustments, validation, partition of land).

File No. 17-4

Which has been Referred to the Commissioner of Parks & Recreation

(488) From K.B. Enterprises, Kingston, a recently established local Company using completely portable and mobile equipment. Their business is computerized portraits which can be framed or transferred to various posters and T shirts; they also offer printed computerized biorythmic cycles.

K.B. Enterprises are requesting permission to operate Kingston Computer Pictures within the City's parks and recreation facilities on a temporary basis (one or two days a week). They are particularly interested in City Park, MacDonald Park, the Market Square, the Boat Docks and Lake Ontario Park. Electrical power is required for the operation of their computers, but if necessary, they would supply their own power with a generator.

K.B. Enterprises feel that their service would not only offer another tourist attraction to the city, but one that is extremely interesting and novel in nature. A letter of endorsement from the Kingston Tourist Bureau was forwarded along with a sample computer portrait.

File No. 3-12.2 (See Clause 10, Report No. 60)

To be Referred to the Director of Planning & Urban Renewal

(489) From the Canadian Association of Housing & Renewal Officials advising that a national RRAP Task Force has just been struck. The Task Force will consist of members of CMHC and CAHRO (Canadian Association of Housing and Renewal Officials). It will begin immediately and hopes to have its recommendations complete by the end of 1980.

CAHRO's role in the Task Force is to act as the focus for municipal concerns; therefore, the City of Kingston is requested to make any comments or suggestions it might have.

File No. 8-3.17

COMMUNICATIONS (Cont'd)

To be Filed

(490) From the Hon. Keith C. Norton thanking the City for the copy of its resolution concerning Incentives - "The Income Tax Act". (R. 49 (2) 80).

File No. 2-4.1

To be Referred to the City Solicitor

(491) From the Rideau Trail Club on the matter of the section of the trail that passes across the lands of Mr. J.L. Smith. The threat of development would be a serious blow to the integrity of the trail and would cause a serious deterioration in the quality of experience enjoyed by hikers and walkers.

The Rideau Trail Club is urging the city to make every effort to negotiate with Mr. Smith with a view towards the purchase of the flood plains and sufficient of the remainder of his lands above the flood plains so that an adequate green belt can be maintained along the western borders of the city.

The Rideau Trail Club is again willing to make a contribution towards the purchase of some of J.L. Smith's lands in order to preserve this area in its natural state.

File No. 12-8.4

To be Referred to Mayor Keyes

(492) From the Association of Municipalities of Ontario advising that the Nominating Committee of the Association will be meeting during July to consider its recommendations with respect to the 1980-81 Board of Directors.

The AMO Board consists of 80 members, each of whom is an elected representative or appointed official of a member municipality.

If the City of Kingston wishes to place the name of an individual in nomination for the Board of Directors, it is requested that this be done as soon as possible.

File No. 1-5

To be Referred to the Committee of the Whole

(493) From the Association of Municipalities of Ontario reminding the City that at last year's Annual Conference the Association's Constitution was amended to provide that a member elected to the current Association's Board of Directors shall be a voting delegate, at large, to the annual meeting. Such delegation shall be in addition to any voting delegation allowed to the member's municipality. A "delegate at large" shall be allowed one vote only. A "delegate at large" may not assign his vote, neither may he vote by proxy.

With this provision in force, should the City already have designated a Board member as a voting delegate for the Annual Conference, the City may make a further appointment since current board members automatically hold voting status. Any modification to the voting delegate list of the City of Kingston must be transmitted in writing to the AMO office.

The AMO advises that the August Board of Directors meeting is scheduled for Sunday, August 17th, commencing at 10:00 a.m.

File No. 1-5

COMMUNICATIONS (Cont'd)

To be Referred to the Commissioner of Parks & Recreation

(494) From Mr. W.D. Koroluk, Kingston, suggesting that a winter festival be organized to attract tourists to Kingston during the winter. Some events that Mr. Koroluk has suggested are music festivals, sports' tournaments, handicrafts fair, theatre festivals etc. Not all ideas would be acted upon at first, but as the festival grew, more events could be added.

Mr. Koroluk feels that instead of spending $3.6 million on an Eaton Centre, that the money be spent on a festival so that more local people would be involved and the good of the city would be better served.

File No. 19-1.2

Which has been Referred to the Director of Planning & Urban Renewal and to the Ontario Municipal Board

(495) From Swan, Carty, Belch & Ryan, Barristers & Solicitors, advising that the objection to By-law No. 80-115 by Jenkins Aircraft Ltd. has been withdrawn. (Homestead Landholdings - Ontario Street)

File No. 25-2.16-4

To be Filed

(496) From the Town of Durham requesting endorsation of the following resolution:

> "That a resolution be circulated to the municipalities with Police Commissions and to the A.M.O. requesting their support to change the policy of Ontario Police Commission so that the Commission contain a majority of elected representatives."

(Note: The Chief Administrative Officer, after discussing the matter with the Mayor, recommends that this letter be filed)

File No. 19-7

(497) From the Hon. Allan J. MacEachen, Minister of Finance, on the matter of the City of Kingston's resolution concerning the preservation of heritage properties. (R. 49 (2) 80).

Mr. MacEachen advises that the issue which appears rather straightforward is much more complicated to resolve and numerous submissions and representations have been received in support of a federal government initiative in this area. Mr. MacEachen assures the City that its recommendations will be given consideration.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

To be Filed

(498) Statement of Revenue and Expenditures for the month of May 1980 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1980 Budget Estimates	1980 to date	Month of May 1980	1979 to date
Operating Deficit:	$882,585.	$373,765.	$95,087	$301,405
Debentures:	27,545.	11,477.	2,295.	11,519
Total Deficit	$910,130.	$385,242	$97,382.	$312,924

File No. 17-11.2

To be Referred to the City Solicitor.

(499) From Mr. R.J. Good, Vice-President, Kingston Field Naturalists, advising that their organization fully endorses the purchase by the City of the John L. Smith property.

File No. 12-8.4

To be Referred to the City Solicitor and the Director of Planning & Urban Renewal

(500) From the Deputy Director of Titles advising that Bob Martin Construction Co. Ltd. and Robert Bennett Martin, in Trust have made applications for a Certificate of Title of certain land located on the west side of Queen Mary Road, north of Bath Road.

File No. 3-12.4-6

To be Filed

(501) From the Little Cataraqui Environment Association on the matter of the commercial zoning of Mr. Terence J. Tait's property at Bath Road and Armstrong at the City limit.

The Association advises that they have recently reached an agreement with Mr. Tait about development conditions and as a result they have withdrawn their objection to the O.M.B.

The Association has forwarded a copy of the agreement and the proposed site plan as well as an explanatory letter to Kingston Township Council.

File No. 21-4.11 & 3-16

CITY COUNCIL MEETING NO. 37 July 14, 1980

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to hear a delegation, receive reports and to consider motions.

DELEGATION

(1) Mrs. Mureille LePage - Co-ordinator - Survey Group - Le Centre Frontenac will be present

REPORTS

That Report No. 58 of the Site Plan Control Committee be received and adopted.

That Report No. 59 of the Gasoline Advisory Committee be received and adopted.

That Report No. 60 of the Chief Administrative Officer be received and considered.

That Report No. 61 of the Rideaucrest Home Committee be received and adopted.

REPORT NO. 58

June 27, 1980

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. That By-Law No. 79-265, 'Site Plan Control Procedures' be amended to provide for an alderman to act as alternate member of the Site Plan Control Committee.

   (Note: The present Committee includes three Council members as voting members of the Committee. Because the absence of one alderman can result in a 1:1 tie vote, the Committee feels this could be avoided by having an alternate member who can take the place of an absent member of the Committee)

   See By-Law No. 1 : 80-151

Respectfully submitted,

CHAIRMAN

REPORT NO. 59

To the Mayor and Aldermen: July 9th, 1980.

The Gasoline Advisory Committee reports and recommends as follows:

1. That a by-law be presented to Council to amend By-law 1998, "A By-law to Require the Closing of Gasoline Service Stations During Certain Hours", as follows:

   Add to Series "D" of the Rotation Schedule:

   Division Street Sunoco
   541 Division Street
   (Division and Joseph).

   See By-Law No. 2 : 80-152

Respectfully submitted,

Chairman.

REPORT NO. 60

July 14, 1980.

To the Mayor and Members of Council

The Chief Administrative Officer reports and recommends as follows:

1. That, to implement the Kingston Transportation Study authorized by Clause 16, Report No. 21, 1979, to be done by Marshall, Macklin, Monaghan Limited, a by-law be presented to Council to authorize the execution of an agreement with Her Majesty the Queen, in right of the Province of Ontario, as represented by the Minister of Transportation and Communications, to provide for the contribution of up to 75% of the cost of the study by the Government of Ontario on the conditions outlined in the agreement attached hereto as Schedule "A", 2 Pages.

   See By-Law No. 3 : 80-153

2. That, as recommended by the Commissioner of Parks and Recreation, the account of J. L. Richards & Associates Limited for services to air handling roof units at the Portsmouth Olympic Harbour in the amount of $1,130.35 be authorized for payment.

   (Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 5 Pages.)

3. That, as recommended by the Director of Purchasing, Tender No. 80-26 for Petroleum Products be awarded in Part as follows:

GROUP "A" - GASOLINE: No. 1 unleaded - Gulf Canada Limited
No. 2 unleaded
No. 2 regular
CLEANING SOLVENT - Gulf Canada Limited
HYDRAULIC FLUID " "
TYPE "A" AUTO, TRANSMISSION FLUID " "
GREASE, CHASSIS LUBRICATING " "
OIL, TWO CYCLE ENGINE - S. Anglin

GROUP "A" - OIL, DIESEL FUEL: Grade No. 1 - Rosen Fuels Limited
Grade No. 2 " "
* OIL, ENGINE LUBRICATING - Shell Canada Limited
OIL, DIESEL ENGINE LUBRICATING " "
OIL, TRANSMISSION LUBRICATING " "

* Subject to the proviso that any announced changes in price structures are to be subject to the provision of 30 days Notice of Intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.

GROUP "B" - FURNACE OIL #2 - S. Anglin Company Limited
BUNKER"C" FUEL OIL " "
STOVE OIL Rosen Fuels

*(Note: A copy of the tabulation of Tender No. 80-26 was distributed to the Members of Council on July 4th 1980.
A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "C", 1 Page.)*

4. That, as recommended by Mayor Keyes, the City provide the amount of $5,000 which will allow the installation of the gas main to the Marine Museum building and which will provide winter time work on further development of the museum which will continue to attract larger numbers of visitors to this interesting and historic site.

   - and further -

   That the following budget transfer be approved:

	INCREASE	DECREASE
Finance - Grants	$5,000	
Finance Contingencies		$5,000.

   (Note: A copy of the report of Mayor Keyes which includes a copy of the letter from the Kingston Marine Museum is attached hereto as Schedule "D", 2 Pages.)

5. That, as recommended by the Commissioner of Works, Alternative "A" (Build the new Walk 14" higher than the present walk.) for the construction of the sidewalk on Ontario Street at the R.C.H.A. Club be approved as it is the best solution for the general public's use including people in wheelchairs, avoids potential drainage problems, is the least costly over the long and short term and the architectural changes to not appear to be of major significance.

   - and further -

   That the following budget transfer be approved to cover the cost of raising two window sills:

	INCREASE	DECREASE
Public Works - Contributions from Current Revenue	$500.00	
Finance Contingencies		$500.00.

   (Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 2 Pages.

6. That the tender of J. Sousa Contractor Ltd. in the amount of $101,113.73 in response to Tender No. 80-1W, Reconstruction of Sidewalks, be accepted being the lowest tender received, subject to the approval of the Ministry of Transportation and Communications.

   - and further -

   That the Mayor and City Clerk be authorized to sign the necessary contract.

   (Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "F", 1 Page.)

7. That the tender of Diversey Environmental Products Ltd. to supply 1,600,000 pounds of Ferric Chloride (550,000 pounds of contained Iron 3) at a cost of $168,018.40 based on $ .305 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeuve Clause", being the only tender received.

   (Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 1 Page.)

8. That, as recommended by the Commissioner of Works, the tender of Edwards Ford-Mercury for the supply of two EZ Pack 20 c.y. garbage packers mounted on 1980 Model LN800 Ford chassis at a total net cost after trade-in allowances of $65,049.58, be accepted being the lowest tender received including front mounted direct drive hydraulic pumps for the packer operation at no extra cost

   (Note: A copy of the reportof the Commissioner of Works including a recapitulation of Tender No. 80-22 -Garbage Packer is attached hereto as Schedule "H", 4 Pages.)

9. That a by-law be presented to Council to amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of the Corporation of the City of Kingston" as follows:

   Amend Section 9(12) A (5) by adding:

   "The residency restriction shall not apply to employees' dependents who reside outside the boundaries of the City of Kingston."

   Amend Section 9 (12) B (1) by adding the following as Subsection (e):

   "Employment of student temporary replacement shall not exceed a maximum period of three (3) summer vacation periods.".

   (Note: A copy of the report of the City Treasurer reporting on the recommendations of the Joint Labour/Management Committee is attached hereto as Schedule "I", 1 Page.)

   See By-Law No. 4 : 80-154

   See Communication No. 488

10. That, as recommended by the Commissioner of Parks and Recreation, the request of K. B. Enterprises to operate Kingston Computer Pictures in Lake Ontario Park on Sunday, July 27th, and from August 1st through August 4th be approved subject to suitable financial arrangements in keeping with the City of Kingston lease with Mr. Webb Vivian.

    (Note: A copy of the report of the Commissioner of Parks and Recreation is attached as Schedule "J", 2 Pages.)

11. That, as recommended by the Commissioner of Works, the holdback in the amount of $6,978.36, be released to the contractor, D. A. Foley Ltd., on or after July 21, 1980, and $4,000 be retained pending the disposition of one claim for blasting damage, subject to the provision of a satisfactory guarantee bond, it being understood that the guarantee maintenance period for the top course of asphalt is to commence July 12, 1980 and the remainder of the work to commence August 21, 1979.

    (Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "K", 1 Page.)

12. WHEREAS when M. M. Dillon Limited, Consulting Engineers and Planners, submitted their final billing for final design and tender documents for the upgrading of the runway at Norman Rogers Airport, due to an oversight on their part, many disbursements were omitted;

    AND WHEREAS, M. M. Dillon Limited have now submitted their account in the amount of $1,218.17 to cover said disbursements;

    THEREFORE BE IT RESOLVED that the account of M. M. Dillon in the amount of $1,218.17 be approved

    and further -

    That the following budget transfer be approved:

12. (cont'd).

	INCREASE	DECREASE
Airport Consulting Fees	$1,218.17	
Finance Contingencies		$1,218.17

(Note: See Schedule "H" of Meeting No. 35 when this matter was referred to the City Solicitor. A copy of the report of the City Solicitor is attached hereto as Schedule "L", 1 Page.)

13. That, as recommended by the Commissioner of Works, the construction of a 200 mm diameter sanitary sewer in Oak St. from Victoria St. to Cameron St. including sanitary and storm services plus excavation and backfilling for water service trench (water services by Public Utilities Commission) by day labour be authorized with labour and equipment costs being partly allocated to maintenance of sewers, if necessary, to limit the costs to the project to the Engineering estimate plus 5 percent.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "M", 1 Page.)

14. That as recommended by the Commissioner of Works, the holdback in the amount of $12,200.68, be released to the Contractor, D.A. Foley Ltd., for Contract 79-2W on or after July 21, 1980, as the work has been completed wihout deficiencies subject to the provision of a satisfactory guaranteed maintenance bond, it being understood that the guarantee period for the top course on Union, Montreal and Dalton is to commence June 13th, 1980, and the remainder to commence October 17th 1979.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "N", 1 Page.)

15. That, as recommended by Mayor Keyes, the Kingston Pops Concert be given Council approval to proceed with the necessary arrangements to procure a special occasions permit for their concerts to be held on July 29th, August 5th and August 12th in the Kingston Community Memorial Centre from 7.30 p.m. to 10.30 p.m.

16.a) That, as recommended by Mayor Keyes, City Council declare the period July 26 to August 10 as Kingston Laser World's Weeks.

b) That, as recommended by Mayor Keyes, City Council accept the invitation to designate Monday, July 28th as the "City of Kingston Welcoming Reception".

(Note: A copy of the report of Mayor Keyes is attached hereto as Schedule "O", 1 Page.)

Respectfully submitted,

R. J.Hamilton,
Chief Administrative Officer.

Schedule "A" to Report No. 60
(Page 1)

MEMORANDUM OF AGREEMENT made in triplicate this sixteenth day of June, A.D.1980,

BETWEEN: HER MAJESTY THE QUEEN in right of the Province of Ontario as represented by the Minister of Transportation and Communications, hereinafter referred to as the "Minister"

OF THE FIRST PART,

-and-

THE CORPORATION OF THE CITY OF KINGSTON, in the County of Frontenac, hereinafter referred to as the "City"

OF THE SECOND PART.

WHEREAS the City retained Marshall Macklin Monaghan Limited to produce the Kingston Transportation Study;

AND WHEREAS the City and the Minister desire to enter into an agreement to carry out the Kingston Transportation Study:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the parties hereto for themselves and their respective successors and assigns hereby agree each with the other as follows:

1. That the City will cause to be carried out the Kingston Transportation Study.

2. That the Minister and the City will appoint representatives to the Technical Coordinating Committee that shall have the general direction and supervision of the Study.

3. That the cost of the Transportation Study will be Seventy-Nine Thousand, Two Hundred and Fifty Dollars ($79,250.00).

4. That the Minister will contribute up to 75% of the cost of the Study, namely, a sum of money up to but not in excess of Fifty-Nine Thousand, Four Hundred and Thirty-Seven Dollars and Fifty Cents ($59,437.50), upon receipt of invoices for work performed, approved by the Technical Coordinating Committee.

5. That the Minister shall not contribute to the cost of any work that in the opinion of the Minister is not an

integral part of the Transportation Study.

6. That all data, plans, surveys, records, reports and documents of every nature and kind made or compiled in the course of the Study shall be available to the Minister on request and retained by the City for a period of five years from the completion of the Study.
7. That the City shall keep a separate and detailed account of expenditures made by the City with respect to the Study.
8. That the Minister may, upon written request, examine or audit the said study account and the City shall provide all reasonable assistance to the Minister in such examination and audit.
9. That the City shall supply the Minister with 15 copies of the Report, free of charge.
10. That the City warrants it has done all acts and obtained all approvals that are necessary to authorize the City to enter into this agreement.

IN WITNESS WHEREOF the Minister of Transportation and Communications on behalf of the party of the First Part has hereunto set his hand and the party of the Second Part has affixed its corporate seal attested by the hands of its proper officers duly authorized in that behalf.

SIGNED AND SEALED this day of A.D.1980.

Minister of Transportation and Communications

THE CORPORATION OF THE CITY OF KINGSTON

Mayor

Clerk

Schedule"B" to Report No.60
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO

Our Ref. No. 17-2.1

July 9, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: CONSULTING SERVICE ACCOUNT - J.L. RICHARDS & ASSOCIATES LIMITED

We are forwarding herewith a report from Mr. Fluhrer recommending the City pay the amount of $1,130.35 to J.L. Richards & Associates Limited relative to the time and work this Company gave to assist Mr. Fluhrer and Mr. Tom Mills to resolve the problems being experienced at the Olympic Harbour complex.

Mr. Fluhrer has attached various correspondence explaining the background of this particular item.

We would therefore recommend that Council accept the report and commission the payment of this account.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

JUL 8 1980

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: July 7, 1980

SUBJECT: CONSULTING SERVICE ACCOUNT - J. L. RICHARDS & ASSOCIATES LIMITED - FOR SERVICES TO AIR HANDLING ROOF UNITS - PORTSMOUTH OLYMPIC HARBOUR

ORIGIN: Department of Parks & Recreation.

ANALYSIS: During the first two years of operation, we experienced much difficulty with the air units at Portsmouth Olympic Harbour. This is not uncommon in a new system. However, on the third year, two units (roof top) broke down and at this point I sought advice and guidance from Tom Mills, who generously helped under his old role as Co-Ordinating Architect for the building of the Olympic Site complex.

The attached letters explain the long and detailed work that was gone through in an attempt to get to the bottom of the problem, make the necessary repairs, and attempt to ascertain the responsibility or fault.

RECOMMENDATION: In view of all the extenuating circumstances, and the time, and because J. L. Richards did, indeed, put in a lot of time and work to help Tom Mills and the City resolve the problems, I recommend the account in the amount of $1,130.35 be paid. The units are working reasonably well now and have done so since last summer.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachments.

Office of the Co-ordinating
Architect, 11 Princess St.,
Kingston, Ontario. K7L 1A1

May 8th, 1980.

Corporation of the City of Kingston,
Department of Parks & Recreation,
City Hall,
Kingston, Ontario.
K7L 2Z3

Attention: Mr. Lee Shipp, Director of Development

Re: Onshore Olympic Sailing Facilities,
Kingston, Ontario - Rooftop Units

Dear Mr. Shipp:

Back on August 1st, 1979, you wrote to us expressing your concern over the enclosed billing in connection with the professional advice sought and given with regard to failure of the above units.

Since that time we have attempted to research all the pros and cons leading to the breakdown of the units and their subsequent repair and installation. While there is frustration in not knowing what the cause is you will appreciate nonetheless this condition is not unusual in terms of mechanical equipment. After all these months of research, visits to the site and discussions with 'on site' personnel, we are still unable to determine the cause of the failure.

We are satisfied that our consulting engineers, J. L. Richards & Associates Limited have done everything humanly possible to determine the cause and avoid a recurrence. Mr. Wayne Tapp who was the originator of the design and specification is no longer with the firm. However, a report on the subject was sent to J. L. Richards & Associates' local manager, Mr. Dave Hunter. This report covers the territory very adequately, we think, and is enclosed for your perusal and records.

We trust that while we are unable to respond to your initial questions with regard to the cause and failure of the pumps, we can with some justification agree that the work done by the engineers is certainly commensurate with the fee requested, and we are therefore recommending that the amount of $1,130.35, identified on the billing be submitted directly to J. L. Richards & Associates Limited, at your earliest convenience.

Yours very truly,

F. Thomas Mill

F. Thomas Mill,
Co-ordinating Architect.

FTM/cb
Encl.
c.c. - J. L. Richards & Associates Ltd. - Attn: Mr. D. Hunter

ARCHITECTS CONSORTIUM FOR THE ONSHORE OLYMPIC SAILING FACILITIES, KINGSTON 1976
CROMARTY · DOMINIK · INGLIS · MACLENNAN · MILL · ROSS · SORENSEN – ARCHITECTS, M.M.R.A.I.C.
19 QUEEN STREET, KINGSTON K7K 1A1

MAY 13 1980

J. L. Richards & Associates Limited
Consulting Engineers & Planners
864 Lady Ellen Place, Ottawa, Canada K1Z 5M2, Tel. (613) 728-3571, Telex 0534800

RECEIVED
NOV 5 1979
ARCHITECT [illegible]
FOR THE [illegible] SAILING CENTRE

October 9, 1979
Our File : 78-5492-K

J. L. Richards & Associates Limited
11 Princess Street,
Kingston, Ontario
K7L 1A1

Attention : Mr. Dave Hunter

Re : Onshore Olympic Sailing Facility : Compressor Failure

Dear Dave:-

This letter will summarize our involvement in the investigation of the cause of the compressor motor failure at the above site.

The designer of the mechanical systems for the Onshore Sailing Facility, Mr. W. Tapp (who is no longer with the firm) investigated the compressors which failed after approximately two (2) years operation. The motors were found to be shorted out on two of the units but the compressors were found to be clean, contained sufficient oil, and were not damaged. All the controls and safety devices were functioning. We were therefore not able to find any apparent mechanical cause for the failure of the motors.

Concurrently, the electrical consultant, Zagrodney & Associates, investigated the motor failure and reported that the cause of failure was apparently "shorting to ground" within the electrical terminal box. It was recommended at that time that the motors be rewound and it was further agreed by the manufacturer that if the cause of the motor failure was a manufacturing defect, Keeprite would pay for the motor rewind even though the one year warranty was over.

The cost of compressor removal, replacement and shipping would be the Owner's responsibility.

These recommendations were apparently not acted upon and some months later we were again asked to investigate further the cause of the motor failure to prevent a reoccurance and to determine if some of the cost of repairs should be borne by the manufacturer and/or the contractor. This investigation was made, including an analysis of the building air conditioning loads, both for the use during the Olympics and present building use.

-------- 2

STON SUDBURY FROBISHER BAY HULL (Partnership) OVERSEAS

October 9, 1979
Our File : 78-5492-K

J. L. Richards & Associates Limited
Attention : Mr. Dave Hunter

Re : Onshore Olympic Sailing Facility : Compressor Failure

The air conditioning loads are considerably smaller for the present building use but can be accomodated by the system equipment and controls. No apparent mechanical cause was determined and the recommendations previously made were reiterated. In addition, a procedure for the repair and start up of the units was provided to Mr. G. Steele of J. L. Richards & Associates. Mr. Steele then arranged a meeting with Mr. L. Ship, Mr. Fluhrer, Mr. Leaman and Mr. Catto of Keeprite Products (manufacturers' representative for the compressor units) to review compressor motor failure and subsequent investigation and recommendations.

As a result of this meeting, the City of Kingston set up a maintenance contract on the air conditioning units with E. S. Fox. Up to this time (since 1976) only the refrigeration side of the units was under a service contract (with Gil Refrigeration). E. S. Fox will now be providing maintenance on the complete units, i.e., controls, dampers, filters, belts, fans, as well as the compressors.

In summary we have provided the following services to the City:-

1. Established that the compressor motor failure was not an apparent mechanical fault.
2. Analyzed the present air conditioning loads, compared them with the design air conditioning loads for the Olympics, and established that the units can operate satisfactorily at reduced load.
3. Provided the City with a procedure for repair and checking out of the roof top units.
4. Set up a meeting with the City, E. S. Fox and John Catto of Keeprite to ensure that maintenance is carried out on the units in accordance with the Keeprite Maintenance Manuals held by the City, to establish a maintenance Contract with E. S. Fox and have E. S. Fox provide quotations to rewind the compressor motors and make the air conditioning Unit No. 1 operational.

Yours very truly,

Duane Mattson

D. D. Mattson, P. Eng.
J. L. RICHARDS & ASSOCIATES LIMITED

DDM/g

RECEIVED
NOV 5 1979
ARCHITECTS CONSORTIUM
FOR THE HEALTH SCIENCES CENTRE

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARIO

Our Ref. No. 21-4.6

July 9, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: TENDER NO. 80-26 - PETROLEUM PRODUCTS

We are forwarding herewith tender for the purchase of Petroleum Products. This matter was discussed with Mr. Cousens who concurred with the recommendation of our Purchasing Agent.

We would therefore recommend that Council accept the recommendation at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

JUL 2 1980

TO: R.J. Hamilton, Chief Administrative Officer

FROM: K. Keyes, Mayor

DATE: June 30, 1980

SUBJECT: Grant to Marine Museum

ORIGIN: Request from Col. C. Jones on behalf of Kingston Marine Museum during budget deliberations

ANALYSIS: During budget deliberations Col. C. Jones made a presentation on behalf of the Kingston Marine Museum outlining their planned phasing and financing of development of the museum which, it is anticipated, will be declared the National Marine Museum of the Great Lakes. Funding of this development, in excess of half a million dollars, has been obtained through government and charitable foundations. As is the case with much of the government funding, it is contingent upon equal funding from other services such as municipal or private support.

When this request first came to council it was for the full amount of $7,800., the price quoted by the P.U.C. for the installation. This was referred by council to P.U.C. to determine what assistance they would provide towards the installation of improved water service and a gas main. After considerable discussion the P.U.C. agreed to install a new fire hydrant and water line capable of providing sufficient water for a sprinkler system and have now agreed to install a gas main from the regular line on Ontario Street to the vicinity of the Marine Museum in the amount of $4,300. The balance of $3,500. is required plus an additional $1,500. to cut through the cement at the head of the drydock and to install a protective channel for the gas line, plus repair of the walkway, plus some additional installation problems at the actual Marine Museum building.

ALTERNATIVES:
1. reject the request
2. accept the request, or a portion of it.

RECOMMENDATION: Since the original request of $7,800. has been reduced by the acceptance of a reasonable portion of this amount by the P.U.C., I recommend that the city provide the balance of $5,000. which will provide for the installation of the gas main which will then allow for winter time work on further development of this museum which will continue to attract larger number of visitors to this interesting and historic site.

Schedule "D" to Report No. 60
(Page 2)

Kingston Marine Museum

June 25, 1980

His Worship Mayor Ken Keyes
The Corporation of the City of
Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Mayor:

Thank you for the letter concerning the gas main extension to the Marine Museum. We are in full agreement with you in that the work should proceed this year. We fully expect to be working on the site this winter and so heating will be required. Apart from that, the inevitable rise in costs recommends the line be installed soon.

Mr. Fee's estimate of costs is $7,800.00 as per his letter of June 9, 1980, of which they will cover $4,300.00, leaving a balance of $3,500.00. This figure excludes the cost of cutting through cement at the head of the drydock and installing a protective channel for the gas line, repairing the walkway and covering some installation problems at the building end. Our Consulting Architect, Mr. Malcolm Reed of MacLennan Associates, estimates the above will cost $1,500.00 and so the total over what the P.U.C. will cover is $5,000.00. It is this figure that was requested by Col. Cam Jones when he addressed City Council last spring.

This project is moving quite well since we started our Capital Fund Appeal last year. To date, $523,000.00 has been committed, each agency or foundation having their own matching fund requirements. We are today $15,800.00 short of meeting the Phase I needs of $90,000.00. When that $15,800.00 is raised, an additional $70,000.00 will be released.

I thank you for your help and approval of this project.

Yours truly,

Maurice D. Smith
Executive Diredtor

MDS/lg

Schedule "E" to Report No. 60
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 9th, 1980

SUBJECT Walk Grades on Ontario Street at the R.C.H.A. Club.

ORIGIN Council requested a report.

ANALYSIS In August, 1979, Mr. Wyatt of Paron Construction Limited met with L.A.C.A.C. Walk grades did not appear to be a problem. In February, 1980, the subject of walk grades was thoroughly discussed at a L.A.C.A.C. meeting. L.A.C.A.C. decided not to make a recommendation. The Engineering Department was of the opinion that L.A.C.A.C. considered the proposed grade the lesser of two or three evils. Mr. Wyatt received a letter from the Committee advising that they were satisfied that all possible measures were being taken to minimize the problem and that the door will have a fan light and the pilaster bases will be replaced. Paron and the Engineering Department have proceeded on the basis that the proposed design was acceptable.

It is proposed in this report to consider four alternatives for sidewalk construction at the R.C.H.A. Club. Drawings will be available at the meeting.

A. Build the new walk 14" higher than the present walk.

B. Ramp the walk down to door and around corner to provide fall.

C. Ramp the walk down from north and south to conform with present grades at the door.

D. Produce a combination of A & C - the outer half being as proposed in A - the inner half, adjacent to the R.C.H.A. Club, being as proposed in C.

Before looking at these alternatives, for Council's information, the existing walk in front of the R.C.H.A. Club is 30" below the walk on the opposite side where shops and offices also have two steps up from the walk. This creates a problem in the design of road and walk grades. In this instance, the road has been designed with a crossfall rather than a crown to minimize of the problem of main floor grade differential from the east side to the west which is over 3½'.

The disadvantage of 'A' is that it detracts from the appearance of an old building that has been designated for preservation. Two of the three window sills could be raised to match the third so that the appearance would be improved at an estimated cost of $500. The fan light window over the door will not be quite as large as the original.

Disadvantages of Alternative 'B'

Retaining wall on Ontario and Clarence...........cost $500
Railing on Ontario and Clarence..................cost $510
Two parking meters lost on Ontario St. lost revenue....$800/year
Steps required at corner
Conditions poor for people in wheelchairs.

ANALYSIS (continued)

Disadvantages of Alternative 'C'

Retaining wall on Ontario Street	cost $410
Railing needed on wall	cost $460
Drainage from well	cost$1700
Two parking spaces lost-lost revenue	$800/year
May be hazardous	
Conditions fair for people in wheelchairs	

Disadvantages of Alternative 'D'

Retaining wall	cost $410
Railing required on Ontario Street	cost $460
Drainage from well	cost$1700
Wider walk on Ontario St. along well for plows	$620
May be hazardous	

Alternative 'A' is recommended because it will not involve a major architectural change. Two sills will be raised 13" to match the third sill. It will not produce pedestrian hazards or hazards for people in wheelchairs. There will be no drainage problems. It will be the least costly over the short and long term.

If the R.C.H.A. Club is willing to accept the responsibility for the catchbasin in the wells in alternative 'C' and 'D' and winter control of the ramped portion of walk in 'D', then the second choice is 'D' because the general public using the walk, including people in wheelchairs, have no hazards. There is no long term loss of revenue or expense. The third choice would be 'C' as it is better for general public use than 'B'. If the R.C.H.A. Club are not willing to accept any responsibility then the second choice is 'B' because the drainage does not depend on a catch basin. The third choice is 'C' and the fourth choice is 'D' because of winter control problem with ramp and catchbasin.

FINANCIAL Additional cost over funds included in sidewalk by-law:

Alternative 'A'	$500
Alternative 'B'	$1070 + $800 meter revenue loss per year
Alternative 'C'	$2570 + $800 meter revenue loss per year
Alternative 'D'	$3190

RECOMMENDATION That alternative 'A' be approved as it is the best solution for the general public's use including people in wheelchairs, avoids potential drainage problems, is the least costly over the long and short term and the architectural changes do not appear to be of major significance.

-AND-

That $500 be provided to cover the cost of raising two window sills.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "F" to Report No. 60
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 7th, 1980

SUBJECT Tenders for Reconstruction of Sidewalks, Contract 80-1W

ORIGIN Public Works Department

ANALYSIS Two tenders were received for the above mentioned contract. They are as follows:

J. Sousa Contractor Ltd.	$101,113.73
Spada Tile Ltd.	$104,577.10

Both tenderers have worked for the City at various times and their walks have been satisfactory.

EXISTING POLICY Accept the lowest tender unless there is justification for doing otherwise.

FINANCIAL Adequate funds are available for this work in the Capital Budget.

RECOMMENDATION That the tender of J. Sousa Contractor Ltd. in the amount of $101,113.73 to reconstruct concrete sidewalks on various streets be accepted being the lower tender received, subject to the approval of the Ministry of Transportation and Communications.

D. Graham, P. Eng.
Commissioner of Works

PL:JC

Schedule "G" to Report No. 60
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: June 30th, 1980.

SUBJECT Tender 80-27 for Ferric Chloride Solution

ORIGIN Purchasing Department - to fill needs of the Public Works Department. This is a chemical used at the Water Pollution Control Plant in the removal of phosphate from the sewage.

ANALYSIS A memorandum from the Director of Purchasing is attached. Amount - 1,600,000 lbs. or solution of 550,880 lbs. of contained Iron 3. Several invitations to tender were sent out. One firm replied that they could not fulfil the City's requirements.

TENDER (only one received)

Diversey Environmental Products Ltd. based on $.305/lb. contained Iron 3	$168,018.40

Diversey Ltd. is our present supplier and is quite satisfactory.

EXISTING POLICY The lowest tender is recommended for acceptance unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Director of Purchasing.

No other departments or agencies are involved.

FINANCIAL The only tender is about 11% above the present price. It appears that the funds in the 1980 Current Budget for the Water Pollution Control Plant will be sufficient to meet this increase.

RECOMMENDATION That the tender of Diversey Environmental Products Ltd., to supply 1,600,000 pounds of Ferric Chloride (550,000 pounds of contained Iron 3) at a cost of $168,018.40 based on $.305 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeuve Clause", being the only tender received.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "H" to Report No. 60
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date June 27, 1980

Subject Tender 80-22

Origin Public Works Department

Analysis The following is a list of our present packers -

Item #	Year	Make	Condition
351	1970	Dodge	Used for parts
352	1975	Ford	In good condition new back end
353	1971	International	Hydraulic components removed
354	1975	Ford	Fair
358	1975	Ford	Fair
359	1974	Ford	Back fair, truck good
361	1971	International	Hydraulics removed
362	1974	Ford	Fair
363	1975	Ford	Fair
364	1974	Ford	Fair
367	1975	Ford	Good, new back end
368	1975	Ford	Good

From the above list, it is apparent that some of our units are very old one being 10 years old and two nine years old. No new packers have been purchased since 1975. To summarize their condition - 3 in good condition, 6 in fair condition, 2 no longer useable as packers (the trade-ins) and a 1970 Dodge that has been used for parts and should no longer be listed.

Six packers are in use on normal collection days and eight on double collection days when extra men are provided under the agreement. The packers that are in fair condition require frequent maintenance and occasionally one or more crews are held up while repairs are made. This situation needs attention and the 1980 current budget makes provision for the replacement of the two 1971 packers.

The lowest tender is on the basis of supplying an EZ Pack. This type of packer is new to us. Since Windsor operate many EZ pack units they have been contacted. They report satisfaction with the performance and the availability of spare parts .

Consideration has been given to the use of diesel powered units. Looking at price differential, savings, availability of spare parts and budget restrictions, we concur in the recommendation of the Director of Purchasing.

Financial The Current Budget for Environmental Services includes $72,000. for the replacement of two packers.

Schedule "H" to Report No. 60
(Page 2)

Memo to Mr. R.J.Hamilton - 2 June 27, 1980

Recommendation That the tender of Edwards Ford-Mercury for the supply of two EZ Pack 20 c.y. garbage packers mounted on 1980 Model LN800 Ford chassis at a total net cost after trade-in allowances of $65,049.58, be accepted being the lowest tender received including front mounted direct drive hydraulic pumps for the packer operation at no extra cost.

DG/gg

D.Graham, P.Eng
Commissioner of Works

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 19

GARBAGE PACKER

DATE OF CALLING: May 8, 1980
DATE OF CLOSING: May 23, 1980
NO. OF TENDERS RECEIVED: 3

		(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4) **	(5)	(6) **
QTY.	DESCRIPTION	KEMPVILLE TRUCK CENTRE		AMALGAMATED METAL INDUSTRIES		EDWARDS FORD-MERCURY		EDWARDS FORD-MERCURY		EDWARDS FORD-MERCURY	
2	Garbage Packers	$70,471.50	$83,275.50	$70,054.00	$84,760.00	$63,044.00	$62,494.00	$66,926.00	$81,832.00	$66,551.00	$81,557.00
Chassis	Make	Gas IHC	Diesel IHC	LN800 Gas	LN8000 Diesel	Ford Gas	Ford Gas	Ford Gas	Ford Diesel	Ford Gas	Ford Diesel
	GVW			31,000	31,000	27,500 *	27,500 *	31,000	34,000	31,000	34,000
	Model	1824	1854	1981 LN800	1981 LN800	1980 LN800	1980 LN800	1981 LN800	1981 LN800	1981 LN800	1981 LN800
	No. of cylinders	8	6	8	8	8	8	8	8	8	8
	Cu. Disp.	400	466.1	429	636	429	429	429	636	429	636
	HP at RPM	210/3600	210/3600	223/4000	175/2800	234/4000	234/4000	234/4000	175/2800	234/4000	175/2800
Packer	Make	EZ Pack	EZ Pack	Dempster	Dempster	Heil	EZ Pack	(Heil)	(Heil)	EZ Pack	EZ Pack
	Model	M-200	M-200	Routeking	Routeking	MK.111	M-200	(MK 111)	(Mk 111)	M-200	M-200
	Capacity cu.yds.	20	20	20	20	20	20	20	20	20	20
LESS TRADE IN ALLOWANCE											
1	1964 Ford	$2,660.80	$2,660.80	No	No	$600.00	$600.00	$600.00	$600.00	$600.00	$600.00
1	1971 IHC	$4,000.00	$4,000.00	No	No	$1,100.00	$1,100.00	$1,100.00	$1,100.00	$1,100.00	$1,100.00
	Net Total	$63,810.70	$76,614.70	N/A	N/A	$61,344.00	$60,794.00	$65,226.00	$80,132.00	$64,951.00	$79,857.00
	FST	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt
	PST	$4,466.75	$5,363.00	$4,903.78	$5,933.20	$4,294.08	$4,255.58	$4,556.82	$5,609.24	$4,546.57	$5,589.99
TOTAL TRADE IN PRICE		$68,277.45	$81,977.70	$74,957.78	$90,693.20	$65,638.08	$65,049.58	$69,791.82	$85,741.24	$69,497.57	$85,446.99
F.O.B. DELIVERED		$68,277.45	$81,977.70	$75,137.78	$90,873.20	$65,638.08	$65,049.58	$69,791.82	$85,741.24	$69,497.57	$85,446.99
Delivery Time		120 days	120 days	14 - 16 wks	14 - 16 wks	60 days	90 days	120 - 140 days	120 - 140 days	120 - 140 days	120 - 140 days
WARRANTY		6 Mo. Parts & Labour	6 Mo. Parts & Labour	Packer 12 Mo. Parts	Packer 12 Mo. Parts	Packer 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	EZ Pack 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km

* MEETS PACKER BODY MANUFACTURER'S SPECIFIED G.V.W. RATING.

** DIESEL INCLUDES FULL AIR BRAKES.

..../page two

SUMMARY OF TENDER NO. 80-22

REMARKS

1. The foregoing tabulation is a summary of all tenders received in response to the subject invitation.

2. Tenders were invited on an alternate basis for both gas and diesel power units.

3. The price shown in Edwards Ford-Mercury bid alternates four and six include air brakes. These prices would be reduced in total by $3,214.00 if supplied with vacuum assisted brakes as specified.

4. Budgetary appropriation has been established at $72,000.00 (contra current revenue).

5. All bids cover units which meet the specifications generally.

RECOMMENDATION

It is recommended for consideration that Edwards Ford-Mercury Sales Limited alternate number two in the amount of $65,049.58 (tax included price) being net after trade be accepted.

NOTE: A Model M-200 Eazy-Pack Garbage Packing Unit similar to the unit quoted was demonstrated satisfactorily. It was the general concensus that the operational features of the pack loading equipment were functionally superior to the Mark III Packer Unit which was quoted as an alternative. It is of moment that Heil are producing a Mark IV Unit which identifies closely with the design and functional features of the Eazy-Pack Unit.

Subsequent to the reception of tenders it was considered desirable to entertain certain modifications to specification by the incorporation of a front mounted direct drive hydraulic pump as power sourcing for the packer operation. The inception of this feature would obviate the use of the chassis power take-off and the cab mounted actuating clutch which are reportedly high maintenance components.

While the incorporation of this feature would normally add an estimated $800. to $1,000.00 to the cost of each unit. The manufacturer, and the supplier have agreed to absorb this additional cost.

Respectfully submitted,

Ewart

M. J. Ewart,
Director of Purchasing.

MJE/vn

Schedule "I" to Report No. 60
(Page 1)

MEMORANDUM

JUL - 3 1980

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: Labour Management Committee

DATE: July 2, 1980

RE: Amendments to By-Law # 4

Resulting from a unanimous motion passed at the Joint Labour/Management meeting of June 10th, 1980, and based on the concensus established since then, the following amendments are submitted to you for personal presentation to City Council for Council's approval amending By-Law No. 4.

By-Law No. 4, Section 9 (12) A (5) presently reads as follows:

> "When qualifications, skills and education are relatively equal for a specific job, selection criteria will give priority to students hired for the first time on the basis that those residing within the boundaries of the City of Kingston shall be hired first."

Amend Section 9 (12) A (5) by adding:

> "The residency restriction shall not apply to employees' dependents who reside outside the boundaries of the City of Kingston."

Amend Section 9 (12) B (1) by adding the following as sub-section (e):

> "Employment of student temporary replacement shall not exceed a maximum period of three (3) summer vacation periods."

BG Cousens

/jt

B. G. Cousens
City Treasurer

Schedule "J" to Report No. 60
(Page 1)

JUL 10 1980

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: July 10, 1980

SUBJECT: REQUEST TO COMPUTER-PHOTOGRAPH & SELL MERCHANDISE - LAKE ONTARIO PARK

ORIGIN: See attached letter.

ANALYSIS: This is a new and novel happening and has been in service in some of the local shopping centres. If the line-ups of people to buy the products is an indication of its popularity, I would feel it would be a good promotional project for Lake Ontario Park on this day.

RECOMMENDATION: Subject to suitable financial arrangements in keeping with our lease with Mr. Webb Vivian, I would recommend this request be approved.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg

Schedule "J" to Report No. 60
(Page 2)

K. B. Enterprises

P.O. Box 794 - Kingston, Ontario - K7L 4X8 - 613-544-5222

July 3, 1980.

Parks & Recreation Department
City Hall
Kingston, Ont.
K7L 2Z3

JUL [illegible]

To: The Honourable Mayor Keyes and City Counsel
City of Kingston

Att: Mr. Peter Lawson

Dear Mr. Lawson,

As you suggested when we came to see you last week, I am writing to you with a request for Council's Permission to operate Kingston Computer Pictures in Lake Ontario Park on Sunday July 27th for their family reunion. As well we would like to be in the park for the long weekend (Aug. 1st through Aug. 4th)

As Bert and I explained, Kingston Computer Pictures is a recently established company using completely portable and mobile equipment. Our business is computerized portraits which can be framed or transferred to various posters and Tshirts; we also offer printed computerized biorhythmic cycles.

All we would require is a small amount of operating space and access to an electrical outlet.

From your helpful manner last week I trust that we can count on your support of our endeveaour. Please feel free to contact our offices at 21A Harvey Street, Kingston, 544-5370 if you require any further information. Thank you for your kind cooperation and we look forward to an early reply. We have as well enclosed a letter of endorsement from the Kingston Tourist Bureau.

Sincerely,

Carole Ann Hastie

Carole Ann Hastie
Kingston Computer Pictures

Schedule "K" to Report No. 60
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 9, 1980

Subject Release of holdback for Contract 79/3W

Origin Public Works Department

Analysis All of the work on this contract except for the top course of asphalt was completed on August 21, 1979. At its meeting on December 20, 1979, City Council agreed that the final course of asphalt was to be placed in 1980. The final course has now been placed and the release of the holdback upon completion of the normal 37 day period to cover possible mechanics liens may now be authorized, subject to retention of $4000.00 pending disposition of one claim for blasting damage. There are no deficiencies.

The M.T.C. have advised us that they will accept the City's figures without audit.

Existing Policy The release of holdbacks under contracts is authorized by Council.

Recommendation That the holdback, in the amount of $6,978.36, be released to the contractor, D.A.Foley Ltd., on or after July 21, 1980, and that $4,000.00 be retained pending the disposition of one claim for blasting damage, subject to the provision of a satisfactory guarantee bond, it being understood that the guarantee maintenance period for the top course of asphalt is to commence July 12, 1980 and the remainder of the work to commence August 21, 1979.

JC/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "L" to Report No. 60
(Page 1)

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: July 10, 1980

RE: Request by M.M. Dillon Limited for the payment of fees in respect of runway construction at Norman Rogers Airport

---

M.M. Dillon Limited have submitted to you an account of $1,218.17 in respect of professional services rendered at the airport. The fees requested were specifically in respect of disbursements. They indicated that their account had been previously submitted, but due to an error on their part they had not included all disbursements. City Council referred this to me to determine whether the City has an obligation to pay this account.

I have examined the Contract entered into between The Corporation of the City of Kingston and M.M. Dillon Limited dated November 29, 1977. Under this contract, in Article 3, there is a detailed breakdown of the payment of fees. I understand, however, that the request is not specifically for professional fees, but for disbursements. Article 4 of the Contract covers disbursements and it reads as follows:

> "The engineer shall be reimbursed for all expenses properly incurred by him in connection with the project including, but not limited to, automobile mileage, reasonable travelling and living expenses, long distance telephone charges, printing and reproductions, progress photography, advertising for tenders, special delivery and express charges, overtime premium payments and the cost of providing and maintaining site offices, supplies and equipment and teletyping and telegraph charges."

The list of disbursements requested would seem to come entirely within this clause, being covered under long distance telephone charges, travelling and living expenses, automobile mileage and reproduction. The charges must also be reasonably incurred under this probject, and I have spoken briefly with Mr. Stevens about this matter and he has confirmed that these charges were reasonably incurred in connection with this project.

Although the account was rendered late due to the oversight on M.M. Dillon's part, this would not allow the City to refuse to pay the account, since the account was properly incurred under the terms of the agreement. I would therefore recommend that since the account comes strictly under the agreement between the City and the consulting engineer, that the account be paid.

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "M" to Report No. 60
(Page 1)

emo to Mr. R.J.Hamilton, Chief Administrative Officer

ate July 10, 1980

ubject Sanitary Sewer Construction - Day Labour

rigin Public Works Department

nalysis The servicing of the proposed residential development on the former Kingscourt Public School site involves sewers on Oak St and Kingscourt Ave. The excavation on Kingscourt Ave will include a considerable amount of rock but it is anticipated that on Oak St it will be in earth. The sanitary sewer work on Oak St and storm water laterals can be done by our own forces. The size of the main is 200 mm in diameter. By doing this work by day labour, it will extend the preventive maintenance program of sewer cleaning longer in the year and into the usual slack period depending on when winter control has to be started.

inancial Financing for this project will come as a loan from the Housing Incentive Reserve Fund which would have to be repaid when the lots are sold.

The Engineering estimate for this work was $20,300.00 The estimate by the City Yard is $23,000.00. Prior to doing the work last year on Palace and Wright, the Yard estimate was decidedly higher than the Engineering estimate. The actual cost was below the Engineering estimate.

The servicing price will influence lot price. For this reason, it is suggested that maximum chargeable to the project be controlled by authorizing charging such labour and equipment as may be necessary to maintenance of sewers so that the costs to the housing project are limited to the Engineering estimate plus 5%.

ecommendation That the construction of a 200 mm diameter sanitary sewer in Oak St from Victoria St to Cameron St including sanitary and storm services plus excavation and backfilling for water service trench (water services by P.U.C.) by day labour be authorized with labour and equipment costs being partly allocated to maintenance of sewers, if necessary, to limit the costs to the project to the Engineering estimate plus 5 percent.

/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "N" to Report No. 60
(Page 1)

JUL 10 1980

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Mr. D. Graham, P.Eng.,
Commissioner of Works.

DATE: July 10, 1980.

SUBJECT: Release of 2½% Holdback to D. A. Foley Construction Limited Under Contract 79-2W.

ORIGIN: Public Works Department.

ANALYSIS:

Works included in the aforementioned contract have been completed on June 13, 1980, without deficiencies. Auditting work was undertaken by M.T.C. early this year because 96% of the works were done in 1979. The 2½% holdback was in the amount of $12,475.88. The M.T.C. audit reported a $275.20 over-payment. The balance payable to D. A. Foley Ltd. is $12,200.68.

EXISTING POLICY:

Releasing of holdback is to be authorized by City Council.

RECOMMENDATION:

That the holdback, in the amount of $12,200.68, be released to the Contractor, D. A. Foley Ltd., for Contract 79-2W on or after July 21, 1980, as the work has been completed without deficiencies subject to the provision of a satisfactory guaranteed maintenance bond, it being understood that the guarantee period for the top course on Union, Montreal and Dalton is to commence June 13th, 1980, and the remained to commence October 17th, 1979.

D. Graham, P.Eng.,
Commissioner of Works.

DG/is

Schedule "O" to Report No. 60
(Page 1)

Telephone: 546-4291

THE CORPORATION OF
THE CITY OF KINGSTON
OFFICE OF THE MAYOR

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: Ken Keyes
Mayor

DATE: July 11, 1980

SUBJECT: Laser World's Championships, July 26 - August 10

ORIGIN: Letter from Chairman Bud Gormley

ANALYSIS: In Bud Gormley's letter he requests specific assistance from the city as follows:

1. Declare Kingston Laser World's Weeks July 26 - August 10.
2. Permission to designate Monday, July 28 as the "City of Kingston Welcoming Reception."
3. Financial assistance towards the reception.
4. Invitation to elected and appointed officials.

FINANCIAL CONSIDERATION: Since receiving the letter from Bud, I have been in touch with him and he now has a financial offer from Mateus Wines to cover the cost of the reception but still billing it as the "City of Kingston Welcoming Reception." No costs, therefore, are connected with any of the requests in Mr. Gormley's letter.

RECOMMENDATIONS:

1. I recommend that the City Council declare the period July 26 - August 10 as Kingston Laser World's Weeks. The regatta committee will pay the cost of the ad.
2. I recommend that City Council accept the invitation to designate Monday, July 28 as the "City of Kingston Welcoming Reception." Each member of Council plus guest, plus each department head and guest is invited to attend this opening reception (invitation to follow).

REPORT NO. 61

July 3, 1980.

To the Mayor and Aldermen:

The Rideaucrest Home Committee reports and recommends as follows:

1. That the firm of Elliott & Stahl, Architects, be engaged as architects for the kitchen renovations at Rideaucrest Home if their fee does not exceed 10% of the estimate of the work based on the approved drawings arrived at by the architects.

Respectfully submitted,

CHAIRMAN.

MOTIONS

(1) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

That council review By-Law No. 2958, "A By-Law to Provide for the Regulation, Control, Inspection and Licensing of Signs."

(2) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That council instruct the Chief Administrative Officer and the Personnel Director to establish an annual job performance and evaluation review program for all non union personnel to commence January 1, 1981;

- and further -

That the criteria be established with the assistance of Mr. V. McDonald and report back to council for approval before September 1, 1980.

(3) Moved by Ald. Bishop,
Seconded by Ald. Webb,

That whereas the village of Portsmouth contains many buildings and structures of great historical importance,

And whereas there is presently situated in Portsmouth an ancient and antique inn known as the Lakeview Manor Hotel which has had a positive influence on the lifestyle and deliberations of Kingstonians for centuries,

And whereas the current structure known as the Lakeview Manor Hotel is historic, both in architecture, spirit and memories of Kingstonians,

Therefore be it resolved that the Local Architectural Conservation Advisory Committee consider the site for historic designation.

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTIONS

BYLAWS

(A) That By-Laws 1 to 5 be given their First & Second Readings.

(B) That By-Laws 5 to 12 be given their Third Reading.

(1) A By-Law to Amend By-Law No. 79-265, "Site Plan Control Procedures" (Alternate Member of Council to be Appointed)

FIRST AND SECOND READINGS PROPOSED NO. 80-151
Clause 1, Report No. 58, 1980

(2) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours" (Amend Rotation Schedule)

FIRST AND SECOND READINGS PROPOSED NO. 80-152
Clause 1, Report No. 59, 1980.

(3) A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen, in right of the Province of Ontario as represented by the Minister of Transportation and Communication (Kingston Transportation Study)

FIRST AND SECOND READINGS PROPOSED NO. 80-153
Clause 1, Report No. 60, 1980.

(4) A By-Law to Amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of the Corporation of the City of Kingston" (Clause 9, Report No. 60)

FIRST AND SECOND READINGS PROPOSED NO. 80-154
Clause 9, Report No. 60, 1980.

(5) A By-Law to Confirm the Proceedings of Council at its Meeting held on July 14, 1980.
THREE READINGS PROPOSED NO. 80-155
City Council Meeting No. 37, 1980

(6) A By-Law to Provide for an Interim Tax Levy in the City of Kingston.

THIRD READING PROPOSED NO. 80-137
Clause 10(a), Report No. 52, 1980

(7) A By-Law to Repeal By-Law No. 99, "A By-Law to Receive Advance Payment of Taxes to allow a Discount Thereon".

THIRD READING PROPOSED NO. 80-138
Clause 10(b), Report No. 52, 1980

BYLAWS (Cont'd)

(8) A By-Law to Amend By-Law No. 6, "A By-Law Respecting the Payment of Taxes" (Change Due Date of Taxes from May 21st to June 30th and Change the Penalty Date from May 21st to June 30th).

THIRD READING PROPOSED NO. 80-139
Clause 10(c), Report No. 52, 1980

(9) A By-Law to Amend By-Law No. 2958, "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs" (Amendment to Section 25(1) - Chez Piggy Restaurant).

THIRD READING PROPOSED NO. 80-143
Clause 5, Report No. 54, 1980

(10) A By-Law to Amend By-Law No. 2566, "A By-Law to Provide for the Licensing of Electricians in the City of Kingston" (Add City of Thunder Bay).

THIRD READING PROPOSED NO. 80-144
Clause 12, Report No. 55, 1980

(11) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Permit Banner Over Princess Street - Kingston Pops Concerts).

THIRD READING PROPOSED NO. 80-146
Clause 24, Report No. 55, 1980

(12) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 26 and 27, Report No. 55, 1980).

THIRD READING PROPOSED NO. 80-147
Clauses 26 and 27, Report No. 55, 1980

UNFINISHED BUSINESS

ADJOURNMENT

QUEEN'S UNIVERSITY
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AUG 05 1980

CITY COUNCIL MEETING NO. 37

The Regular Meeting of City Council was held on Monday, July 14, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chambers at 8:00 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Gerretsen (arrived at 7:20 p.m.), Ald. Gorham, Ald. Hawkins, Ald. Knapp (arrived at 7:10 p.m.), Ald. Lampropoulos (arrived at 7:12 p.m.), Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Webb (12)

ADMINISTRATIVE STAFF PRESENT

Mr. B. Cousens, City Treasurer; Mr. D. Fluhrer, Commissioner of Parks & Recreation; Mr. D. Graham, Commissioner of Works and Mr. K. Ready, Director of Personnel.

COMMITTEE OF THE WHOLE IN CAMERA

Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Council resolve itself into the Committee of the Whole In Camera to consider the following item:

(1) Land Sale - Davidson Street.

CARRIED

(Council Chamber)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Webb (12)

(B) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Council rise from the Committee of the Whole In Camera and the Chairman report.

CARRIED

AO5
)

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REPORT OF THE COMMITTEE OF THE WHOLE IN CAMERA

The Chairman reported that the following motion was considered in the Com
of the Whole In Camera:

(1) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That, as recommended by the Chief Administrative Officer, a by-law be presented to council to fix the price at which the stopped up portion of Davidson Street, west of Pembroke Street, is to be sold to the abutting property owners subject to the following conditions:

(1) That the 10' x 60' portion be offered to Mr. Herrington at a price of $2,460.00 as representing the appraised value on the condition that the City receive Committee of Adjustment approval to enable the City to sell the balance of the property for a site to contain a duplex;

(2) That the remainder of the property, consisting of an area approximately 56' wide and 122' deep, be offered to Mrs. Scammell for a price of $33,540.00;

- and further -

That Mr. Herrington be notified immediately of condition (1) above, said offer to expire on July 25, 1980, after which time Mrs. Scammell be offered the entire parcel at a price of $36,000.00;

- and further -

In the event that both parties are not interested in purchase of the property, the property be offered for sale immediately by public tende

CARRIED

(C) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That the Report of the Committee of the Whole In Camera be adopted, approved and confirmed.

CARRIED

MINUTES

Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That the minutes of City Council Meeting No. 34 be amended to delete the signature by "Mayor Keyes" and substitute therefor the signature by "Deputy Mayor Ald. J.P. Gerretsen" and that, as amended, be confirmed, and that the Minutes of Meeting No. 35 be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 502 to 509.

Filed

(471) Copy of a letter to the Honourable Thomas L. Wells, Minister of Intergovernmental Affairs, from the Association of Municipalities of Ontario expressing their disappointment with the decision of the Government to retain the uniform two-year term of office for all municipalities in Ontario.

(Note: Copies have been distributed to all members of Council)

File No. 1-5

(472) From Mr. Brian Oliverira of Toronto forwarding the following poem which he wrote about the Quebec referendum dedicated to a new and renewed Canada.

Maple Leaf On White and Red

In crystal ball or questioned star
We don't know who we really are!
The Stars and Stripes from nearby page,
The Union holds in hearts of age...
Amidst it all the Leaf was born:
And folk have had their feelings torn.
The Fleur-de-lis amidst the blue
Then struck at blue, the other hue:
For Liberty, perhaps was here,
Fraternity, was ne'er too clear-
Equality? you guessed it right-
The 'royals' scud with skillful might
Like kids at marbles call the play
And play if things are going their way.
The Fleur-de-lis purports to say
'Tis time we saw a different day,
The spearhead voice through thick and thin,
With growing numbers hopes to win:
We'll thank the leaven in the dough
Fermenting staling status quo.

O Maple Leaf, on white and red
Perhaps, you'll live when Jack is dead:
The setting Sun will fin'lly set
'Tis sure, as sure as history's bet:
The afterglow keeps some hopes buoyed-
The dusk of change is here and poised:
Dominion days are era past
When former flags flew top the mast;
The tide in the affairs of men
Is wont to never flow again.

COMMUNICATIONS (Cont'd)

(472) (Cont'd)

.2.

O Maple Leaf, on white and red,
The dusk has set, it's time for bed:
Avoid a dalliance in the night,
Indeed, it's easy in your plight.
The eagle watching from his nest
Would love to snatch you to his breast.
Your night might be quite short, or long,
Refresh yourself, and wake up strong!
You differ from your friend below
By being yourself - and freely so;
You'll have a lot to celebrate
When Reason is the Head of State;
Survivors in your newest dawn
Will find the way to be re-born
Canadian: a will to be
Loved equal in diversity.
The spirit of the bastille bright
Is couched behind this bloodless fight:
For you, the first in destiny
Where Freedom sings Equality.

File No. 3-6

Referred to the City of Kingston Planning Board

(473) From the Cataraqui Region Conservation Authority on the matter of fill permit renewal, Greenwood Bros. Ltd., Lot 23 & 24, Concession I City of Kingston, and advising that the Authority has previously gra a land fill permit to Greenwood Bros. Ltd. This permit expired on December 31, 1979 and in a letter dated May 16, 1980 to the Authorit Mr. R.A. Greenwood requested that this permit be renewed for the 198 calendar year.

If the City has not submitted any comments to the Conservation Author by July 25, 1980 it will be assumed that the City does not have any.

File No. 3-16

COMMUNICATIONS (Cont'd)

Filed

(474) From Mr. G.G. Muirhead, Director of Planning and Urban Renewal, on the subject of future zoning - Industrial Area north side of Counter Street.

Mr. Muirhead advises that both he and Mr. C. Pare, Area Economic Development Commissioner, feel that the zoning of the Counter Street Industrial Area is only one consideration in a program designed to encourage industry to locate in the City of Kingston. More important factors are the kind of land available, accessibility and its price. The general appearance of the Industrial Area is also of concern.

Mr. Muirhead and Mr. Pare agree that the most attractive land is the 170 acres that was proposed by Alcan Canada Products for industrial development and that efforts should be made to either acquire the land or to persuade Alcan to promote its development for industrial purposes.

File No. 25-2 and 1-2.9-3

(475) From Ms Lynn Haver advising that the Site Plan Control Committee, at its meeting held on June 27, 1980, passed the following resolution:

> "That the Site Plan Control Committee will take into consideration the concerns expressed by Ald. Webb regarding a swimming pool to be located at the rear of the Howard Johnson Hotel, at such time as a site plan control application has been received."

File No. 4-2.1

(476) From Sister Margaret Haughian, Administrator of Providence Manor, thanking the City for its grant in the amount of $12,529 and $3,971 for the Hildegarde Centre.

File No. 7-3

(477) From the Technical Advisory Committee on the Nuclear Fuel Waste Management Program forwarding a summary of the Committee's first annual report on the Nuclear Fuel Waste Management Program (May 1980). A full report is available, on request, from Dr. L.W. Shemilt, c/o Room 136, Engineering Building, McMaster University, Hamilton, Ontario.

File No. 1-1

(478) From the Canada Mortgage and Housing Corporation concerning the City of Kingston's resolution on the Residential Rehabilitation Assistance Program (Clause 5, Report No. 49, 1980).

C.M.H.C. advises that the interest rate was increased to 14½% on May 5, 1980 to reflect the cost of escalating interest rates in the private sector at that time. Previously, the interest rate had been maintained at 11¼% from October 26, 1979 until February 12, 1980 when it was raised to 12¼%. This was the period when the interest rate began escalating at a sharp pace and the R.R.A.P. rate had not changed as quickly. When the interest rates commenced falling to a level comparable to the R.R.A.P. interest rate, the R.R.A.P. rate was changed to reflect this and on May 30, 1980, the R.R.A.P. interest rate was set at 13%.

It is the hope of the C.M.H.C. that the new R.R.A.P. policy changes which have been announced by C.M.H.C.'s Minister will better reflect the social nature of the R.R.A.P. Program.

File No. 8-3.7

Filed

(479) From Sister Sheila Brady, Executive Director, St. Mary's of the Lake Hospital thanking the City for its grant in the amount of $10,000.00

File No. 7-3

Which has been Referred to the City Solicitor

(480) From the Hon. Claude F. Bennett, Minister of Housing, submitting inform
on the background of the sale of land to Homestead Land Holdings Limite
(Block "S", Calvin Park). (Motion, June 5/80, Council Meeting #33, Pg.

The agreement entered into by Ontario Housing Corporation does not proh
the purchaser from attempting to rezone the lands and the policy of Ont
Housing Corporation has been not to retain control of future land use w
a subdivision has been assumed by the Municipality.

In January 1979 the responsibility for these lands was transferred from
Ontario Housing Corporation to Ontario Land Corporation as part of a re
allocation of responsibilities and Ontario Land Corporation assumed thi
Purchase and Sale Agreement. Ontario Land Corporation which, therefore
now holds title is not in a position to prohibit the purchaser from mak
a rezoning application and, therefore, is unable to make an objection t
the rezoning at the O.M.B. Hearing.

(Note: Copies have been distributed to all members of Council)

File No. 25-2.4-24 & 8-3.9

Which has been Referred to All Department Heads

(481) From the Congress Secretariat: The Group Planners, Toronto, advising o
International Conference on emergency preparedness to be held at the Ha
Castle Hotel, Toronto, November 16th to 19th, 1980 sponsored by the Gove
ment of Ontario and the Association of Municipalities of Ontario.

The Conference will be of importance to people engaged in emergency pla
including those in local, provincial, state or federal governments, industrial emergency groups, and fire, police and first aid services.

(Note: Copies have been distributed to all members of Council)

File No. 5-4

Filed

(482) From the family of the late Mrs. Viola McArthur thanking council for its kind expression of sympathy.

File No. 3-6

Referred to L.A.C.A.C.

(483) From the Hon. Joe Clark, Leader of the Opposition, thanking the city for the copy of its resolution regarding incentives contained in the Income Tax Act which tend to favour the use of new building stock over renovation activities (R. 49 (2) 80).

Mr. Clark advises that he has forwarded a copy of the above resolution
to the Honourable Marcel Lambert, Progressive Conservation Party spoke
for income tax issues.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

Referred to the City Solicitor

(484) From Mrs. Irene Mooney forwarding a copy of a letter she received from the Frontenac-Lennox and Addington County Roman Catholic Separate School Board in reply to her letter to the Board on the matter of the high cost of school taxes. (Communication No. 302).

The Board feels that the increases in school taxes over the past few years are due to changes in the provincial government's policies. Mrs. Mooney states that if this is the case, then some approach must be made to the provincial government to improve the situation.

Mrs. Mooney feels that the average person cannot keep up with these increases which are coming at the same time, and on top of, other increases in the cost of living. Many people over the age of 60 are continuing to pay a tax they have paid over and over again for many years and Mrs. Mooney suggests that they at least need to be taken off the list of school tax payers.

Mrs. Mooney is requesting that council make some representation to the provincial government to lessen this burden.

File No. 21-3.2

Referred to the Commissioner of Works

(485) From the Ministry of the Environment advising that Regulations to apply The Environmental Assessment Act to environmentally significant municipal undertakings became effective on June 3, 1980. The Ministry has forwarded the Municipal Regulation in full together with an explanation, section by section.

This Regulation came about as a result of full and extensive consultation over the last five years with the Municipal Liaison Committee, municipal associations, individual municipalities, various other municipal representatives and public groups. As a result of this long period of consultation, the Ministry believes that it now has a Regulation that represents a reasonable compromise among all of the parties involved - the Government, the municipalities, environmental and other interest groups and the public at large.

File No. 17-9

Referred to the City Treasurer

(486) From the Ministry of Transportation & Communications advising that a second advance payment of subsidy in the amount of $386,100.00 is to be made to the City of Kingston. This amount is a further 30% of the city's initial subsidy.

File No. 17-9.1

COMMUNICATIONS (Cont'd)

Referred to the Director of Planning & Urban Renewal

(487) From the Ministry of Housing advising that effective July 7, 1980 the will be a realignment of planner areas within the Community Planning Branch - North and East. This will result in all of the plan review functions as they affect the City of Kingston being dealt with by one planner.

The planner assigned to this area, Linda Tennant, will be responsible for the following functions:

1. official plans and amendments.
2. plans of subdivision and condominium.
3. zoning by-laws.
4. minister's zoning orders.
5. other related planning functions (e.g. road adjustments, validation, partition of land).

File No. 17-4

Which has been Referred to the Commissioner of Parks & Recreation

(488) From K.B. Enterprises, Kingston, a recently established local Company using completely portable and mobile equipment. Their business is co puterized portraits which can be framed or transferred to various posters and T shirts; they also offer printed computerized biorythmic cycles.

K.B. Enterprises are requesting permission to operate Kingston Comput Pictures within the City's parks and recreation facilities on a tempo basis (one or two days a week). They are particularly interested in City Park, MacDonald Park, the Market Square, the Boat Docks and Lake Ontario Park. Electrical power is required for the operation of the computers, but if necessary, they would supply their own power with a generator.

K.B. Enterprises feel that their service would not only offer another tourist attraction to the city, but one that is extremely interesting and novel in nature. A letter of endorsement from the Kingston Tour Bureau was forwarded along with a sample computer portrait.

File No. 3-12.2 (See Clause 10, Report No. 60)

Referred to the Director of Planning & Urban Renewal

(489) From the Canadian Association of Housing & Renewal Officials advising that a national RRAP Task Force has just been struck. The Task Force will consist of members of CMHC and CAHRO (Canadian Association of Housing and Renewal Officials). It will begin immediately and hopes to have its recommendations complete by the end of 1980.

CAHRO's role in the Task Force is to act as the focus for municipal concerns; therefore, the City of Kingston is requested to make any comments or suggestions it might have.

File No. 8-3.17

COMMUNICATIONS (Cont'd)

Filed

(490) From the Hon. Keith C. Norton thanking the City for the copy of its resolution concerning Incentives - "The Income Tax Act". (R. 49 (2) 80).

File No. 2-4.1

Referred to the City Solicitor

(491) From the Rideau Trail Club on the matter of the section of the trail that passes across the lands of Mr. J.L. Smith. The threat of development would be a serious blow to the integrity of the trail and would cause a serious deterioration in the quality of experience enjoyed by hikers and walkers.

The Rideau Trail Club is urging the city to make every effort to negotiate with Mr. Smith with a view towards the purchase of the flood plains and sufficient of the remainder of his lands above the flood plains so that an adequate green belt can be maintained along the western borders of the city.

The Rideau Trail Club is again willing to make a contribution towards the purchase of some of J.L. Smith's lands in order to preserve this area in its natural state.

File No. 12-8.4

Referred to Mayor Keyes

(492) From the Association of Municipalities of Ontario advising that the Nominating Committee of the Association will be meeting during July to consider its recommendations with respect to the 1980-81 Board of Directors.

The AMO Board consists of 80 members, each of whom is an elected representative or appointed official of a member municipality.

If the City of Kingston wishes to place the name of an individual in nomination for the Board of Directors, it is requested that this be done as soon as possible.

File No. 1-5

Referred to the Committee of the Whole

(493) From the Association of Municipalities of Ontario reminding the City that at last year's Annual Conference the Association's Constitution was amended to provide that a member elected to the current Association's Board of Directors shall be a voting delegate, at large, to the annual meeting. Such delegation shall be in addition to any voting delegation allowed to the member's municipality. A "delegate at large" shall be allowed one vote only. A "delegate at large" may not assign his vote, neither may he vote by proxy.

With this provision in force, should the City already have designated a Board member as a voting delegate for the Annual Conference, the City may make a further appointment since current board members automatically hold voting status. Any modification to the voting delegate list of the City of Kingston must be transmitted in writing to the AMO office.

The AMO advises that the August Board of Directors meeting is scheduled for Sunday, August 17th, commencing at 10:00 a.m.

File No. 1-5

COMMUNICATIONS (Cont'd)

Referred to the Commissioner of Parks & Recreation & Tourist Bureau

(494) From Mr. W.D. Koroluk, Kingston, suggesting that a winter festival be organized to attract tourists to Kingston during the winter. Some events that Mr. Koroluk has suggested are music festivals, sports tournaments, handicrafts fair, theatre festivals etc. Not all ideas would be acted upon at first, but as the festival grew, more events could be added.

Mr. Koroluk feels that instead of spending $3.6 million on an Eaton Centre, that the money be spent on a festival so that more local people would be involved and the good of the city would be better served.

File No. 19-1.2

Which has been Referred to the Director of Planning & Urban Renewal and to the Ontario Municipal Board

(495) From Swan, Carty, Belch & Ryan, Barristers & Solicitors, advising that the objection to By-law No. 80-115 by Jenkins Aircraft Ltd. has been withdrawn. (Homestead Landholdings - Ontario Street)

File No. 25-2.16-4

Referred to the Committee of the Whole

(496) From the Town of Durham requesting endorsation of the following resolut

> "That a resolution be circulated to the municipalities with Police Commissions and to the A.M.O. requesting their support to change the policy of Ontario Police Commission so that the Commission contain a majority of elected representatives."

(Note: The Chief Administrative Officer, after discussing the matter with the Mayor, recommends that this letter be filed)

File No. 19-7

Referred to L.A.C.A.C.

(497) From the Hon. Allan J. MacEachen, Minister of Finance, on the matter of the City of Kingston's resolution concerning the preservation of herita properties. (R. 49 (2) 80).

Mr. MacEachen advises that the issue which appears rather straightforwa is much more complicated to resolve and numerous submissions and representations have been received in support of a federal government initia in this area. Mr. MacEachen assures the City that its recommendation will be given consideration.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

Filed

(498) Statement of Revenue and Expenditures for the month of May 1980 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1980 Budget Estimates	1980 to date	Month of May 1980	1979 to date
Operating Deficit:	$882,585.	$373,765.	$95,087	$301,405
Debentures:	27,545.	11,477.	2,295.	11,519
Total Deficit	$910,130.	$385,242	$97,382.	$312,924

File No. 17-11.2

Referred to the City Solicitor

(499) From Mr. R.J. Good, Vice-President, Kingston Field Naturalists, advising that their organization fully endorses the purchase by the City of the John L. Smith property.

File No. 12-8.4

Referred to the City Solicitor and the Director of Planning & Urban Renewal

(500) From the Deputy Director of Titles advising that Bob Martin Construction Co. Ltd. and Robert Bennett Martin, in Trust have made applications for a Certificate of Title of certain land located on the west side of Queen Mary Road, north of Bath Road.

File No. 3-12.4-6

Filed

(501) From the Little Cataraqui Environment Association on the matter of the commercial zoning of Mr. Terence J. Tait's property at Bath Road and Armstrong at the City limit.

The Association advises that they have recently reached an agreement with Mr. Tait about development conditions and as a result they have withdrawn their objection to the O.M.B.

The Association has forwarded a copy of the agreement and the proposed site plan as well as an explanatory letter to Kingston Township Council.

File No. 21-4.11 & 3-16

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board

(502) Copy of a letter to the Ontario Municipal Board from Speal, Viner & Ken
acknowledging receipt of the O.M.B.'s letter to Mr. Jose Melo regarding
restricted area by-law 80-11 (Little Cataraqui Creek between Princess S
and Sherwood Drive).

Speal, Viner & Kennedy who act on behalf of Mr. Melo, have advised the
that the objection filed by Mr. Melo is being abandoned and that there
be no representative present on his behalf attending in the event that
hearing is held on this particular by-law.

File No. 12-8.6

Referred to the City of Kingston Planning Board and to L.A.C.A.C.

(503) From the Ontario Heritage Foundation advising that they are unable to b
assistance with regard to the City's request for their support in maint
ing the brick streets in Kingston (R. 49 (L) 80). Because of the
Foundation's limited budget and the many demands on their funds, they a
forced to restrict their capital grants to the conservation of heritage
structures.

File No. 20-8

Referred to the Chief Administrative Officer

(504) From Mrs. Diana Abramsky with regard to a special Thyroid/Eye Research Fund that has recently been set up in the Department of Medicine at Queen's University. The goal set for this first campaign in aid of thyroid/eye research is $15,000. and Mrs. Abramsky is requesting assistance from the City to help the Fund reach its goal.

File No. 7-3

Filed

(505) From the Hon. Thomas L. Wells, Minister of Intergovernmental Affairs
regarding the new equalization factors to determine municipal apportion
and resource grants in 1981 which were published in the Ontario
Gazette on July 12, 1980. It is proposed to publish definitive regula
tions in the fall. Various meetings are scheduled throughout the
province with municipal officials.

(Note: Copies have been distributed to all members of Council)

File No. 17-9

COMMUNICATIONS (Cont'd)

Referred to the City Treasurer

(506) From the Ministry of Transportation and Communications advising of their authorization of a 1980 subsidy allocation to the City of Kingston in the amount of $95,400.00 for the Capital Asset Assistance Program. The allocation is intended to cover the following items:

1, 53 Passenger Transit Coach	$79,500.00
Used Dial-A-Bus Units	11,250.00
2 Bus Stop Shelters	2,775.00
Bus Stop Pads	1,875.00
	$95,400.00

(Note: The City had requested $94,000.00)

File No. 17-9.1

Referred to the City Treasurer

(507) From the Ministry of Transportation and Communications advising of their authorization of a 1980 subsidy allocation of $502,500.00 under the Transit Operating Assistance Program. This allocation is based on the City of Kingston's forecast of the expected operating results for 1980. The actual operation subsidy payable for 1980 will be computed from the transit expenditures for the year as reported in the City's 1980 Annual Return.

The City had requested $510,474. The Ministry was unable to comply fully with this request but the allocation will be reviewed as the year progresses and, if necessary, may be increased.

File No. 17-9.1

Referred to the Chief Administrative Officer

(508) From the Kingston and Area Real Estate Association forwarding a copy of their membership magazine, Landscape III.

Also, it has come to the attention of the Association that once again, a municipality (Cambridge) has passed a resolution calling for a cooling-off period for real estate transactions. Since this same issue was raised last year when the Town of Tecumeseh passed such a resolution, the Association would appreciate being advised of the City of Kingston's plans to discuss this matter so that they may make a submission to council. (In 1979, the City of Kingston did not take any action on the Town of Tecumeseh's resolution)

File No. 19-1

Referred to the City Solicitor

(509) From Ald. George Webb advising that he has been contacted by Thomas Lemmon and Sons, owners of the property located at Bagot and North Streets, who claim that they have been subjected to expenses between $2,000. and $4,000. during the period of proposed acquisition of their property by N.I.P.

Thomas Lemmon & Sons have never approached the City expressing a desire to sell their property and therefore Ald. Webb feels they may have very valid grounds for compensation for their incurred costs.

File No. 12-2.70-6

PETITION

A petition containing 112 names objecting to the proposed use of 428A Barri
as a Community Hall was received.

REFERRED TO THE CITY SOLICITOR AND CHIEF BUILDING INSPECTO

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That Council resolve itself into the Committee of the Whole to hear a delegation, receive reports and to consider motions.

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Webb,

That Council rise from the Committee of the Whole and the Chairman rep

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that a delegation was received, Report No. 58 of the Site Plan Control Committee, Report No. 59 of the Gasoline Advisory Committ
Report No. 60 of the Chief Administrative Officer , Report No. 61 of the Rideaucrest Home Committee and motions were considered in the Committee of
Whole as follows:

DELEGATION

(1) Mrs. Murielle LePage, Co-Ordinator, Survey Group, the French Cultural Centre in Kingston, was present to advise council of the special servi
offered by the Centre.

(Note: A copy of a synopsis of Mrs. LePage's comments was distributed to all members of council)

REPORTS

Report No. 58 - Site Plan Control Committee

Ald. Bishop presented Report No. 58 of the Site Plan Control Committee.

Moved by Ald. Bishop,
Seconded by Ald. Hawkins,

That Report No. 58 of the Site Plan Control Committee be received and consid

REPORTS (Cont'd)

Report No. 58 - Site Plan Control Committee

REPORT NO. 58

June 27, 1980

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. That By-Law No. 79-265, 'Site Plan Control Procedures' be amended to provide for an elected official to act as alternate member of the Site Plan Control Committee.

   (Note: The present Committee includes three Council members as voting members of the Committee. Because the absence of one alderman can result in a 1:1 tie vote, the Committee feels this could be avoided by having an alternate member who can take the place of an absent member of the Committee)

   See By-Law No. 1 : 80-151

   CARRIED AS AMENDED

Respectfully submitted,

(Signed) Bill Bishop
J. Hawkins

REPORTS (Cont'd)

Report No. 59 - Gasoline Advisory Committee

Moved by Ald. Webb,
Seconded by Ald. Hawkins,

That Report No. 59 of the Gasoline Advisory Committee be received and adopted

REPORT NO. 59

To the Mayor and Aldermen: July 9th, 1980.

The Gasoline Advisory Committee reports and recommends as follows:

1. That a by-law be presented to Council to amend By-law 1998, "A By-law to Require the Closing of Gasoline Service Stations During Certain Hours", as follows:

   Add to Series "D" of the Rotation Schedule:

   Division Street Sunoco
   541 Division Street
   (Division and Joseph).

   See By-Law No. 2 : 80-152

CARRIED

Respectfully submitted,

G. Webb (Chairman)

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

REPORT NO. 60

July 14, 1980.

To the Mayor and Members of Council

The Chief Administrative Officer reports and recommends as follows:

1. That, to implement the Kingston Transportation Study authorized by Clause 16, Report No. 21, 1979, to be done by Marshall, Macklin, Monaghan Limited, a by-law be presented to Council to authorize the execution of an agreement with Her Majesty the Queen, in right of the Province of Ontario, as represented by the Minister of Transportation and Communications, to provide for the contribution of up to 75% of the cost of the study by the Government of Ontario on the conditions outlined in the agreement attached hereto as Schedule "A", 2 Pages.

   See By-Law No. 3 : 80-153

CARRIED
Ald. Matthews opposed

2. That, as recommended by the Commissioner of Parks and Recreation, the account of J. L. Richards & Associates Limited for services to air handling roof units at the Portsmouth Olympic Harbour in the amount of $1,130.35 be authorized for payment.

   (Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 5 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

Ald. Lampropoulos declared a conflict of interest in Clause 3 because his son works for Rosen Fuels.

3. That, as recommended by the Director of Purchasing, Tender No. 80-26 for Petroleum Products be awarded in Part as follows:

GROUP "A" - GASOLINE: No. 1 unleaded - Gulf Canada Limited
No. 2 unleaded
No. 2 regular
CLEANING SOLVENT - Gulf Canada Limited
HYDRAULIC FLUID " "
TYPE "A" AUTO, TRANSMISSION FLUID " "
GREASE, CHASSIS LUBRICATING " "
OIL, TWO CYCLE ENGINE - S. Anglin

GROUP "A" - OIL, DIESEL FUEL: Grade No. 1 - Rosen Fuels Limited
Grade No. 2 " "
* OIL, ENGINE LUBRICATING - Shell Canada Limited
OIL, DIESEL ENGINE LUBRICATING " "
OIL, TRANSMISSION LUBRICATING " "

* Subject to the proviso that any announced changes in price structures are to be subject to the provision of 30 days Notice of Intent and conditional upon the right of renegotiation or cancellation being vested with the Corporation.

GROUP "B" - FURNACE OIL #2 - S. Anglin Company Limited
BUNKER"C" FUEL OIL " "
STOVE OIL Rosen Fuels

*(Note: A copy of the tabulation of Tender No. 80-26 was distributed to the Members of Council on July 4th 1980.
A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "C", 1 Page)*

CARRIED

Ald. Lampropoulos abstained from votir

4. That as recommended by Mayor Keyes, the City provide the amount of $5,000 toward capital funding for the Marine Museum to permit the installation o the gas main to the Marine Museum building which will provide winter time work on further development of the museum which will continue to attract larger numbers of visitors to this interesting and historic site.

- and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
Finance - Grants	$5,000.	
Finance Contingencies		$5,000.

(Note: A copy of the report of Mayor Keyes which includes a copy of the letter from the Kingston Marine Museum is attached hereto as Schedule "D", 2 Pages.)

CARRIED AS AMENDED

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

Mr. Fluhrer withdrew at 8:52 p.m. and returned at 8:57 p.m.

5. That, as recommended by the Commissioner of Works, Alternative "A" (Build the new Walk 14" higher than the present walk.) for the construction of the sidewalk on Ontario Street at the R.C.H.A. Club be approved as it is the best solution for the general public's use including people in wheelchairs, avoids potential drainage problems, is the least costly over the long and short term and the architectural changes to not appear to be of major significance.

- and further -

That the following budget transfer be approved to cover the cost of raising two window sills:

	INCREASE	DECREASE
Public Works - Contributions from Current Revenue	$500.00	
Finance Contingencies		$500.00.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 2 Pages.

CARRIED 9:3

6. That the tender of J. Sousa Contractor Ltd. in the amount of $101,113.73 in response to Tender No. 80-1W, Reconstruction of Sidewalks, be accepted being the lowest tender received, subject to the approval of the Ministry of Transportation and Communications.

- and further -

That the Mayor and City Clerk be authorized to sign the necessary contract.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "F", 1 Page.)

CARRIED

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

7. That the tender of Diversey Environmental Products Ltd. to supply 1,600,000 pounds of Ferric Chloride (550,000 pounds of contained Iron 3) at a cost of $168,018.40 based on $ .305 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeuve Clause", being the only tender received.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 1 Page.)

CARRIED

8. That, as recommended by the Commissioner of Works, the tender of Edwards Ford-Mercury for the supply of two EZ Pack 20 c.y. garbage packers mounted on 1980 Model LN800 Ford chassis at a total net cost after trade-in allowances of $65,049.58, be accepted being the lowest tender received including front mounted direct drive hydraulic pumps for the packer operation at no extra cost

(Note: A copy of the reportof the Commissioner of Works including a recapitulation of Tender No. 80-22 -Garbage Packer is attached hereto as Schedule "H", 4 Pages.)

CARRIED

Ald. Tarnowecky withdrew at 9:10 p.m. and returned at 9:15 p.m.

At the request of Mayor Keyes, Clause 9 was divided and considered as two separate clauses.

Ald. Lampropoulos declared a conflict of interest in clause 9 as his daughte is employed by the City.

9. That a by-law be presented to Council to amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of the Corporation of the City of Kingston" as follows:

A) Amend Section 9(12) A (5) by adding:

"The residency restriction shall not apply to dependents of employees who reside outside the boundaries of the City of Kingston."

LOST 3:8
(See Recorded Vote)

Ald. Lampropoulos abstained from voti

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

9.(A) (Cont'd)

Ald. Webb requested a recorded vote which was as follows:

YEAS: Ald. Bishop, Ald. Gorham, Ald. Knapp (3)

NAYS: Mayor Keyes, Ald. Gerretsen, Ald. Hawkins, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Webb (8)

9.(B) Amend Section 9 (12) B (1) by adding the following as Subsection (e):

"Employment of student temporary replacement shall not exceed a maximum period of three (3) summer vacation periods.".

(Note: A copy of the report of the City Treasurer reporting on the recommendations of the Joint Labour/Management Committee is attached hereto as Schedule "I", 1 Page.)

See By-Law No. 4 : 80-154

CARRIED
Ald. Lampropoulos abstained from voting

Ald. McArthur withdrew at 9:45 p.m.

10. That, as recommended by the Commissioner of Parks and Recreation, the request of K. B. Enterprises to operate Kingston Computer Pictures in Lake Ontario Park on Sunday, July 27th, and from August 1st through August 4th be approved subject to suitable financial arrangements in keeping with the City of Kingston lease with Mr. Webb Vivian. (See Communication No. 488)

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "J", 2 Pages.)

CARRIED
Ald. Webb opposed

Mr. D. Fluhrer and Mr. K. Ready withdrew at 9:50 p.m.

Ald. Bishop declared a conflict of interest in Clause 11 because of pecuniary reasons.

11. That, as recommended by the Commissioner of Works, the holdback in the amount of $6,978.36, be released to the contractor, D. A. Foley Ltd., on or after July 21, 1980, and $4,000 be retained pending the disposition of one claim for blasting damage, subject to the provision of a satisfactory guarantee bond, it being understood that the guarantee maintenance period for the top course of asphalt is to commence July 12, 1980 and the remainder of the work to commence August 21, 1979.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "K", 1 Page.)

CARRIED
Ald. Bishop abstained from voting

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

12. WHEREAS when M. M. Dillon Limited, Consulting Engineers and Planners, submitted their final billing for final design and tender documents for the upgrading of the runway at Norman Rogers Airport, due to an oversight on their part, many disbursements were omitted;

AND WHEREAS, M. M. Dillon Limited have now submitted their account in the amount of $1,218.17 to cover said disbursements;

THEREFORE BE IT RESOLVED that the account of M. M. Dillon in the amount of $1,218.17 be approved

and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
Airport Consulting Fees	$1,218.17	
Finance Contingencies		$1,218.17

(Note: See Schedule "H" of Meeting No. 35 when this matter was referred to the City Solicitor. A copy of the report of the City Solicitor is attached hereto as Schedule "L", 1 Page.)

CARRIED

13. That, as recommended by the Commissioner of Works, the construction of a 200 mm diameter sanitary sewer in Oak St. from Victoria St. to Cameron St. including sanitary and storm services plus excavation and backfilling for water service trench (water services by Public Utilities Commission) by day labour be authorized with labour and equipment costs being partly allocated to maintenance of sewers, if necessary, to limit the costs to the project to the Engineering estimate plus 5 percent.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "M", 1 Page.)

CARRIED

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

Ald. Bishop declared a conflict of interest in Clause 14 because of pecuniary reasons.

14. That as recommended by the Commissioner of Works, the holdback in the amount of $12,200.68, be released to the Contractor, D.A. Foley Ltd., for Contract 79-2W on or after July 21, 1980, as the work has been completed wihout deficiencies subject to the provision of a satisfactory guaranteed maintenance bond, it being understood that the guarantee period for the top course on Union, Montreal and Dalton is to commence June 13th, 1980, and the remainder to commence October 17th 1979.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "N", 1 Page.)

CARRIED

Ald. Bishop abstained from voting

15. That, as recommended by Mayor Keyes, the Kingston Pops Concert be given Council approval to proceed with the necessary arrangements to procure a special occasions permit for their concerts to be held on July 29th, August 5th and August 12th in the Kingston Community Memorial Centre from 7.30 p.m. to 10.30 p.m.

CARRIED

16.a) That, as recommended by Mayor Keyes, City Council declare the period July 26 to August 10 as Kingston Laser World's Weeks.

b) That, as recommended by Mayor Keyes, City Council accept the invitation to designate a reception on Monday, July 28th as the "City of Kingston Welcoming Reception".

(Note: A copy of the report of Mayor Keyes is attached hereto as Schedule "O", 1 Page.)

CARRIED

Ald. McArthur returned at 9:58 p.m.

REPORTS (Cont'd)

Report No. 60 - Chief Administrative Officer

Council consented to consider the following motions as Clauses 17 & 18 of Repor

17. Moved by Ald. Webb,
Seconded by Ald. Knapp,

That a By-law be presented to council to amend By-law No. 19, "A By-Law to Provide for the Regulation and Use of Parks and Recreational Facilitie of the Corporation of the City of Kingston" to provide that admission prices to the Kingston Pump House Steam Museum be waived on a day to be determined in July or August, 1980 for the promotion of "Kingston Museum Da

(See By-law No. 13: 80-156)

CARRIED

18. Moved by Ald. Gerretsen,
Seconded by Ald. Miller,

That a By-law be presented to council to amend By-Law No. 10, "A By-Law Re- specting Streets" to permit the City's Pops Concert to leave the banner ac Princess Street between Montreal and Sydenham Streets for a further period commencing July 23 to August 12, 1980 to advertise the Kingston Pops Conce

(See By-law No. 14: 80-157)

CARRIED

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Mr. K. Ready withdrew at 10:05 p.m.

Schedule "A" to Report No. 60
(Page 1)

MEMORANDUM OF AGREEMENT made in triplicate this sixteenth day of June, A.D.1980,

BETWEEN: HER MAJESTY THE QUEEN in right of the Province of Ontario as represented by the Minister of Transportation and Communications, hereinafter referred to as the "Minister"

OF THE FIRST PART,

-and-

THE CORPORATION OF THE CITY OF KINGSTON, in the County of Frontenac, hereinafter referred to as the "City"

OF THE SECOND PART.

WHEREAS the City retained Marshall Macklin Monaghan Limited to produce the Kingston Transportation Study;

AND WHEREAS the City and the Minister desire to enter into an agreement to carry out the Kingston Transportation Study:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises the parties hereto for themselves and their respective successors and assigns hereby agree each with the other as follows:

1. That the City will cause to be carried out the Kingston Transportation Study.
2. That the Minister and the City will appoint representatives to the Technical Coordinating Committee that shall have the general direction and supervision of the Study.
3. That the cost of the Transportation Study will be Seventy-Nine Thousand, Two Hundred and Fifty Dollars ($79,250.00).
4. That the Minister will contribute up to 75% of the cost of the Study, namely, a sum of money up to but not in excess of Fifty-Nine Thousand, Four Hundred and Thirty-Seven Dollars and Fifty Cents ($59,437.50), upon receipt of invoices for work performed, approved by the Technical Coordinating Committee.
5. That the Minister shall not contribute to the cost of any work that in the opinion of the Minister is not an

integral part of the Transportation Study.

6. That all data, plans, surveys, records, reports and documents of every nature and kind made or compiled in th course of the Study shall be available to the Minister on request and retained by the City for a period of five years from the completion of the Study.

7. That the City shall keep a separate and detailed account of expenditures made by the City with respect to the Stud

8. That the Minister may, upon written request, examine or audit the said study account and the City shall provide all reasonable assistance to the Minister in such examination and audit.

9. That the City shall supply the Minister with 15 copies of the Report, free of charge.

10. That the City warrants it has done all acts and obtained all approvals that are necessary to authorize the City to enter into this agreement.

IN WITNESS WHEREOF the Minister of Transportation and Communications on behalf of the party of the First Part has hereunto set his hand and the party of the Second Part has affixed its corporate seal attested by the hands of its proper officers duly authorized in that behalf.

SIGNED AND SEALED this day of A.D.1980.

____
Minister of Transportation and Communications

THE CORPORATION OF THE CITY OF KINGSTON

____
Mayor

____
Clerk

Schedule"B" to Report No.60
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO

Our Ref. No. 17-2.1

July 9, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: CONSULTING SERVICE ACCOUNT - J.L. RICHARDS & ASSOCIATES LIMITED

We are forwarding herewith a report from Mr. Fluhrer recommending the City pay the amount of $1,130.35 to J.L. Richards & Associates Limited relative to the time and work this Company gave to assist Mr. Fluhrer and Mr. Tom Mills to resolve the problems being experienced at the Olympic Harbour complex.

Mr. Fluhrer has attached various correspondence explaining the background of this particular item.

We would therefore recommend that Council accept the report and commission the payment of this account.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "B" to Report No. 60
(Page 2)

JUL 8 1980

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: July 7, 1980

SUBJECT: CONSULTING SERVICE ACCOUNT - J. L. RICHARDS & ASSOCIATES LIMITED - FOR SERVICES TO AIR HANDLING ROOF UNITS - PORTSMOUTH OLYMPIC HARBOUR

ORIGIN: Department of Parks & Recreation.

ANALYSIS: During the first two years of operation, we experienced much difficulty with the air units at Portsmouth Olympic Harbour. This is not uncommon in a new system. However, on the third year, two units (roof top) broke down and at this point I sought advice and guidance from Tom Mills, who generously helped under his old role as Co-Ordinating Architect for the building of the Olympic Site complex.

The attached letters explain the long and detailed work that was gone through in an attempt to get to the bottom of the problem, make the necessary repairs, and attempt to ascertain the responsibility or fault.

RECOMMENDATION: In view of all the extenuating circumstances, and the time, and because J. L. Richards did, indeed, put in a lot of time and work to help Tom Mills and the City resolve the problems, I recommend the account in the amount of $1,130.35 be paid. The units are working reasonably well now and have done so since last summer.

Doug R Fluhrer
Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachments.

Schedule "B" to Report No. 60
(Page 3)

Office of the Co-ordinating
Architect, 11 Princess St.,
Kingston, Ontario. K7L 1A1

May 8th, 1980.

Corporation of the City of Kingston,
Department of Parks & Recreation,
City Hall,
Kingston, Ontario.
K7L 2Z3

Attention: Mr. Lee Shipp, Director of Development

Re: Onshore Olympic Sailing Facilities,
Kingston, Ontario - Rooftop Units

Dear Mr. Shipp:

Back on August 1st, 1979, you wrote to us expressing your concern over the enclosed billing in connection with the professional advice sought and given with regard to failure of the above units.

Since that time we have attempted to research all the pros and cons leading to the breakdown of the units and their subsequent repair and installation. While there is frustration in not knowing what the cause is you will appreciate nonetheless this condition is not unusual in terms of mechanical equipment. After all these months of research, visits to the site and discussions with 'on site' personnel, we are still unable to determine the cause of the failure.

We are satisfied that our consulting engineers, J. L. Richards & Associates Limited have done everything humanly possible to determine the cause and avoid a recurrence. Mr. Wayne Tapp who was the originator of the design and specification is no longer with the firm. However, a report on the subject was sent to J. L. Richards & Associates' local manager, Mr. Dave Hunter. This report covers the territory very adequately, we think, and is enclosed for your perusal and records.

We trust that while we are unable to respond to your initial questions with regard to the cause and failure of the pumps, we can with some justification agree that the work done by the engineers is certainly commensurate with the fee requested, and we are therefore recommending that the amount of $1,130.35, identified on the billing be submitted directly to J. L. Richards & Associates Limited, at your earliest convenience.

Yours very truly,

F. Thomas Mill

F. Thomas Mill,
Co-ordinating Architect.

FTM/cb
Encl.
c.c. - J. L. Richards & Associates Ltd. - Attn: Mr. D. Hunter

ARCHITECTS CONSORTIUM FOR THE ONSHORE OLYMPIC SAILING FACILITIES, KINGSTON 1976
CROMARTY · DOMINIK · INGLIS · MACLENNAN · MILL · ROSS · SORENSEN — ARCHITECTS, M.M.R.A.I.C.
19 QUEEN STREET, KINGSTON K7K 1A1

MAY 13 1980

Schedule "B" to Report No. 60
(Page 4)

J. L. Richards & Associates Limited
Consulting Engineers & Planners
864 Lady Ellen Place, Ottawa, Canada K1Z 5M2, Tel (613) 728-3571, Telex 0534800

RECEIV
NOV 3
ARCHITEC
FOR THE

October 9, 1979
Our File : 78-5492-K

J. L. Richards & Associates Limited
11 Princess Street,
Kingston, Ontario
K7L 1A1

Attention : Mr. Dave Hunter

Re : Onshore Olympic Sailing Facility : Compressor Failure

Dear Dave:-

This letter will summarize our involvement in the investigation of the cause of the compressor motor failure at the above site.

The designer of the mechanical systems for the Onshore Sailing Facility, Mr. W. Tapp (who is no longer with the firm) investigated the compressors which failed after approximately two (2) years operation. The motors were found to be shorted out on two of the units but the compressors were found to be clean, contained sufficient oil, and were not damaged. All the controls and safety devices were functioning. We were therefore not able to find any apparent mechanical cause for the failure of the motors.

Concurrently, the electrical consultant, Zagrodney & Associates, investigated the motor failure and reported that the cause of failure was apparently "shorting to ground" within the electrical terminal box. It was recommended at that time that the motors be rewound and it was further agreed by the manufactur that if the cause of the motor failure was a manufacturing defect, Keeprite woul pay for the motor rewind even though the one year warranty was over.

The cost of compressor removal, replacement and shipping would be the Owner's responsibility.

These recommendations were apparently not acted upon and some months later we were again asked to investigate further the cause of the motor failure to preven a reoccurance and to determine if some of the cost of repairs should be borne by the manufacturer and/or the contractor. This investigation was made, including an analysis of the building air conditioning loads, both for the use during the Olympics and present building use.

KINGSTON SUDBURY FROBISHER BAY HULL OVERSEAS

J.L.Richards & Associates Limited

------- 2

October 9, 1979
Our File : 78-5492-K

J. L. Richards & Associates Limited
Attention : Mr. Dave Hunter

Re : Onshore Olympic Sailing Facility : Compressor Failure

The air conditioning loads are considerably smaller for the present building use but can be accomodated by the system equipment and controls. No apparent mechanical cause was determined and the recommendations previously made were reiterated. In addition, a procedure for the repair and start up of the units was provided to Mr. G. Steele of J. L. Richards & Associates. Mr. Steele then arranged a meeting with Mr. L. Ship, Mr. Fluhrer, Mr. Leaman and Mr. Catto of Keeprite Products (manufacturers' representative for the compressor units) to review compressor motor failure and subsequent investigation and recommendations.

As a result of this meeting, the City of Kingston set up a maintenance contract on the air conditioning units with E. S. Fox. Up to this time (since 1976) only the refrigeration side of the units was under a service contract (with Gil Refrigeration). E. S. Fox will now be providing maintenance on the complete units, i.e., controls, dampers, filters, belts, fans, as well as the compressors.

In summary we have provided the following services to the City:-

1. Established that the compressor motor failure was not an apparent mechanical fault.
2. Analyzed the present air conditioning loads, compared them with the design air conditioning loads for the Olympics, and established that the units can operate satisfactorily at reduced load.
3. Provided the City with a procedure for repair and checking out of the roof top units.
4. Set up a meeting with the City, E. S. Fox and John Catto of Keeprite to ensure that maintenance is carried out on the units in accordance with the Keeprite Maintenance Manuals held by the City, to establish a maintenance Contract with E. S. Fox and have E. S. Fox provide quotations to rewind the compressor motors and make the air conditioning Unit No. 1 operational.

Yours very truly,

D Duane Mattson

D. D. Mattson, P. Eng.
J. L. RICHARDS & ASSOCIATES LIMITED

DDM/g

RECEIVED
NOV 5 1979
ARCHITECTS CONSORTIUM
FOR THE HEALTH SCIENCES CENTRE

Schedule "C" to Report No. 60
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARI

Our Ref. No. 21-4.6

July 9, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: TENDER NO. 80-26 - PETROLEUM PRODUCTS

We are forwarding herewith tender for the purcha
of Petroleum Products. This matter was discussed with Mr. Cousens who concurred with the recommendation of our Purchasing Agent.

We would therefore recommend that Council accept
the recommendation at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

JUL 2 1980

TO: R.J. Hamilton, Chief Administrative Officer

FROM: K. Keyes, Mayor

DATE: June 30, 1980

SUBJECT: Grant to Marine Museum

ORIGIN: Request from Col. C. Jones on behalf of Kingston Marine Museum during budget deliberations

ANALYSIS: During budget deliberations Col. C. Jones made a presentation on behalf of the Kingston Marine Museum outlining their planned phasing and financing of development of the museum which, it is anticipated, will be declared the National Marine Museum of the Great Lakes. Funding of this development, in excess of half a million dollars, has been obtained through government and charitable foundations. As is the case with much of the government funding, it is contingent upon equal funding from other services such as municipal or private support.

When this request first came to council it was for the full amount of $7,800., the price quoted by the P.U.C. for the installation. This was referred by council to P.U.C. to determine what assistance they would provide towards the installation of improved water service and a gas main. After considerable discussion the P.U.C. agreed to install a new fire hydrant and water line capable of providing sufficient water for a sprinkler system and have now agreed to install a gas main from the regular line on Ontario Street to the vicinity of the Marine Museum in the amount of $4,300. The balance of $3,500. is required plus an additional $1,500. to cut through the cement at the head of the drydock and to install a protective channel for the gas line, plus repair of the walkway, plus some additional installation problems at the actual Marine Museum building.

ALTERNATIVES:
1. reject the request
2. accept the request, or a portion of it.

RECOMMENDATION: Since the original request of $7,800. has been reduced by the acceptance of a reasonable portion of this amount by the P.U.C., I recommend that the city provide the balance of $5,000. which will provide for the installation of the gas main which will then allow for winter time work on further development of this museum which will continue to attract larger number of visitors to this interesting and historic site.

Schedule "D" to Report No. 60
(Page 2)

Kingston Marine Museum

June 25, 1980

His Worship Mayor Ken Keyes
The Corporation of the City of
Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Mayor:

Thank you for the letter concerning the gas main extension to the Marine Museum. We are in full agreement with you in that the work should proceed this year. We fully expect to be working on the site this winter and so heating will be required. Apart from that, the inevitable rise in costs recommends the line be installed soon.

Mr. Fee's estimate of costs is $7,800.00 as per his letter of June 9, 1980, of which they will cover $4,300.00, leaving a balance of $3,500.00. This figure excludes the cost of cutting through cement at the head of the drydock and installing a protective channel for the gas line, repairing the walkway and covering some installation problems at the building end. Our Consulting Architect, Mr. Malcolm Reed of MacLennan Associates, estimates the above will cost $1,500.00 and so the total over what the P.U.C. will cover is $5,000.00. It is this figure that was requested by Col. Cam Jones when he addressed City Council last spring.

This project is moving quite well since we started our Capital Fund Appeal last year. To date, $523,000.00 has been committed, each agency or foundation having their own matching fund requirements. We are today $15,800.00 short of meeting the Phase I needs of $90,000.00. When that $15,800.00 is raised, an additional $70,000.00 will be released.

I thank you for your help and approval of this project.

Yours truly,

Maurice D. Smith
Executive Diredtor

MDS/lg

Schedule "E" to Report No. 60
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 9th, 1980

SUBJECT Walk Grades on Ontario Street at the R.C.H.A. Club.

ORIGIN Council requested a report.

ANALYSIS In August, 1979, Mr. Wyatt of Paron Construction Limited met with L.A.C.A.C. Walk grades did not appear to be a problem. In February, 1980, the subject of walk grades was thoroughly discussed at a L.A.C.A.C. meeting. L.A.C.A.C. decided not to make a recommendation. The Engineering Department was of the opinion that L.A.C.A.C. considered the proposed grade the lesser of two or three evils. Mr. Wyatt received a letter from the Committee advising that they were satisfied that all possible measures were being taken to minimize the problem and that the door will have a fan light and the pilaster bases will be replaced. Paron and the Engineering Department have proceeded on the basis that the proposed design was acceptable.

It is proposed in this report to consider four alternatives for sidewalk construction at the R.C.H.A. Club. Drawings will be available at the meeting.

A. Build the new walk 14" higher than the present walk.

B. Ramp the walk down to door and around corner to provide fall.

C. Ramp the walk down from north and south to conform with present grades at the door.

D. Produce a combination of A & C - the outer half being as proposed in A - the inner half, adjacent to the R.C.H.A. Club, being as proposed in C.

Before looking at these alternatives, for Council's information, the existing walk in front of the R.C.H.A. Club is 30" below the walk on the opposite side where shops and offices also have two steps up from the walk. This creates a problem in the design of road and walk grades. In this instance, the road has been designed with a crossfall rather than a crown to minimize of the problem of main floor grade differential from the east side to the west which is over 3½'.

The disadvantage of 'A' is that it detracts from the appearance of an old building that has been designated for preservation. Two of the three window sills could be raised to match the third so that the appearance would be improved at an estimated cost of $500. The fan light window over the door will not be quite as large as the original.

Disadvantages of Alternative 'B'

Retaining wall on Ontario and Clarence...........cost $500
Railing on Ontario and Clarence..................cost $510
Two parking meters lost on Ontario St. lost revenue....$800/year
Steps required at corner
Conditions poor for people in wheelchairs.

ANALYSIS (continued)

Disadvantages of Alternative 'C'

Retaining wall on Ontario Street	cost $410
Railing needed on wall	cost $460
Drainage from well	cost$1700
Two parking spaces lost-lost revenue	$800/ye
May be hazardous	
Conditions fair for people in wheelchairs	

Disadvantages of Alternative 'D'

Retaining wall	cost $410
Railing required on Ontario Street	cost $460
Drainage from well	cost$1700
Wider walk on Ontario St. along well for plows	$620
May be hazardous	

Alternative 'A' is recommended because it will not involve a major architectural change. Two sills will be raised 13" to match the third sill. It will not produce pedestrian hazards or hazards for people in wheelchairs. There will be no drainage problems. It will be the least costly over the short and long term.

If the R.C.H.A. Club is willing to accept the responsibility for the catchbasin in the wells in alternative 'C' and 'D' and winter control of the ramped portion of walk in 'D', then the second choice is 'D' because the general public using the walk, including people in wheelchairs, have no hazards. There is no long term loss of revenue or expense. The third choice would be 'C' as it is better for general public use than 'B'. If the R.C.H.A. Club are not willing to accept any responsibil then the second choice is 'B' because the drainage does not depend on a catch basin. The third choice is 'C' and the fourth choice is 'D' because of winter control problem with ramp and catchbasin.

FINANCIAL Additional cost over funds included in sidewalk by-law:

Alternative 'A'	$500
Alternative 'B'	$1070 + $800 meter revenue loss per ye
Alternative 'C'	$2570 + $800 meter revenue loss per ye
Alternative 'D'	$3190

RECOMMENDATION That alternative 'A' be approved as it is the best solution for the general public's use including people in wheelchairs, avoids potential drainage problems, is the least costly over the long and short term and the architectural changes do not appear to be of major significance.

-AND-

That $500 be provided to cover the cost of raising two window sills.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "F" to Report No. 60
(Page 1)

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer
FROM:	D. Graham, Commissioner of Works
DATE:	July 7th, 1980
SUBJECT	Tenders for Reconstruction of Sidewalks, Contract 80-1W
ORIGIN	Public Works Department

ANALYSIS

Two tenders were received for the above mentioned contract. They are as follows:

J. Sousa Contractor Ltd.	$101,113.73
Spada Tile Ltd.	$104,577.10

Both tenderers have worked for the City at various times and their walks have been satisfactory.

EXISTING POLICY

Accept the lowest tender unless there is justification for doing otherwise.

FINANCIAL

Adequate funds are available for this work in the Capital Budget.

RECOMMENDATION

That the tender of J. Sousa Contractor Ltd. in the amount of $101,113.73 to reconstruct concrete sidewalks on various streets be accepted being the lower tender received, subject to the approval of the Ministry of Transportation and Communications.

D. Graham, P. Eng.
Commissioner of Works

PL:JC

Schedule "G" to Report No. 60
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: June 30th, 1980.

SUBJECT

Tender 80-27 for Ferric Chloride Solution

ORIGIN

Purchasing Department - to fill needs of the Public Works Department. This is a chemical used at the Water Pollution Control Plant in the removal of phosphate from the sewage.

ANALYSIS

A memorandum from the Director of Purchasing is attached. Amount - 1,600,000 lbs. or solution of 550,880 lbs. of contained Iron 3. Several invitations to tender were sent out. One firm replied that they could not fulfil the City's requirements.

TENDER (only one received)

Diversey Environmental Products Ltd. based on $.305/lb. contained Iron 3	$168,018.40

Diversey Ltd. is our present supplier and is quite satisfactor

EXISTING POLICY

The lowest tender is recommended for acceptance unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Director of Purchasing.

No other departments or agencies are involved.

FINANCIAL

The only tender is about 11% above the present price. It appears that the funds in the 1980 Current Budget for the Water Pollution Control Plant will be sufficient to meet this increase.

RECOMMENDATION

That the tender of Diversey Environmental Products Ltd., to supply 1,600,000 pounds of Ferric Chloride (550,000 pounds of contained Iron 3) at a cost of $168,018.40 based on $.305 per pound contained Iron 3, be accepted on the basis that the price is firm for one year and the supply is subject to "Force Majeuve Clause", being the only tender received.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "H" to Report No. 60
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date June 27, 1980

Subject Tender 80-22

Origin Public Works Department

Analysis The following is a list of our present packers -

Item #	Year	Make	Condition
351	1970	Dodge	Used for parts
352	1975	Ford	In good condition new back end
353	1971	International	Hydraulic components removed
354	1975	Ford	Fair
358	1975	Ford	Fair
359	1974	Ford	Back fair, truck good
361	1971	International	Hydraulics removed
362	1974	Ford	Fair
363	1975	Ford	Fair
364	1974	Ford	Fair
367	1975	Ford	Good, new back end
368	1975	Ford	Good

From the above list, it is apparent that some of our units are very old one being 10 years old and two nine years old. No new packers have been purchased since 1975. To summarize their condition - 3 in good condition, 6 in fair condition, 2 no longer useable as packers (the trade-ins) and a 1970 Dodge that has been used for parts and should no longer be listed.

Six packers are in use on normal collection days and eight on double collection days when extra men are provided under the agreement. The packers that are in fair condition require frequent maintenance and occasionally one or more crews are held up while repairs are made. This situation needs attention and the 1980 current budget makes provision for the replacement of the two 1971 packers.

The lowest tender is on the basis of supplying an EZ Pack. This type of packer is new to us. Since Windsor operate many EZ pack units they have been contacted. They report satisfaction with the performance and the availability of spare parts .

Consideration has been given to the use of diesel powered units. Looking at price differential, savings, availability of spare parts and budget restrictions, we concur in the recommendation of the Director of Purchasing.

Financial The Current Budget for Environmental Services includes $72,000. for the replacement of two packers.

Schedule "H" to Report No. 60
(Page 2)

Memo to Mr. R.J.Hamilton - 2 June 27, 1980

Recommendation That the tender of Edwards Ford-Mercury for the supply of two EZ Pack 20 c.y. garbage packers mounted on 1980 Model LN800 Ford chassis at a total net cost after trade-in allowances of $65,049.58, be accepted being the lowest tender received including front mounted direct drive hydraulic pumps for the packer operation at no extra cost.

DG/gg

D.Graham, P.Eng
Commissioner of Works

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 19

GARBAGE PACKER

DATE OF CALLING: May 8, 1980
DATE OF CLOSING: May 23, 1980
NO. OF TENDERS RECEIVED: 3

		(1)	(2)	(1)	(2)	(1)	(2)	(3)	(4) **	(5)	(6) **
QTY.	DESCRIPTION	KEMPVILLE TRUCK CENTRE		AMALGAMATED METAL INDUSTRIES		EDWARDS FORD-MERCURY		EDWARDS FORD-MERCURY		EDWARDS FORD-MERCURY	
2	Garbage Packers	$70,471.50	$83,275.50	$70,054.00	$84,760.00	$63,044.00	$62,494.00	$66,926.00	$81,832.00	$66,551.00	$81,557.00
Chassis	Make	Gas IHC	Diesel IHC	LN800 Gas	LN8000 Diesel	Ford Gas	Ford Gas	Ford Gas	Ford Diesel	Ford Gas	Ford Diesel
	GVW			31,000	31,000	27,500 *	27,500 *	31,000	34,000	31,000	34,000
	Model	1824	1854	1981 LN800	1981 LN800	1980 LN800	1980 LN800	1981 LN800	1981 LN800	1981 LN800	1981 LN800
	No. of cylinders	8	6	8	8	8	8	8	8	8	8
	Cu. Disp.	400	466.1	429	636	429	429	429	636	429	636
	HP at RPM	210/3600	210/3600	223/4000	175/2800	234/4000	234/4000	234/4000	175/2800	234/4000	175/2800
Packer	Make	EZ Pack	EZ Pack	Dempster	Dempster	Heil	EZ Pack	(Heil)	(Heil)	EZ Pack	EZ Pack
	Model	M-200	M-200	Routeking	Routeking	MK.111	M-200	(MK 111)	(Mk 111)	M-200	M-200
	Capacity cu.yds.	20	20	20	20	20	20	20	20)	20	20
LESS TRADE IN ALLOWANCE											
1	1964 Ford	$2,660.80	$2,660.80	No	No	$600.00	$600.00	$600.00	$600.00	$600.00	$600.00
1	1971 IHC	$4,000.00	$4,000.00	No	No	$1,100.00	$1,100.00	$1,100.00	$1,100.00	$1,100.00	$1,100.00
	Net Total	$63,810.70	$76,614.70	N/A	N/A	$61,344.00	$60,794.00	$65,226.00	$80,132.00	$64,951.00	$79,857.00
	FST	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt	Exempt
	PST	$4,466.75	$5,363.00	$4,903.78	$5,933.20	$4,294.08	$4,255.58	$4,556.82	$5,609.24	$4,546.57	$5,589.99
TOTAL TRADE IN PRICE		$68,277.45	$81,977.70	$74,957.78	$90,693.20	$65,638.08	$65,049.58	$69,791.82	$85,741.24	$69,497.57	$85,446.99
F.O.B. DELIVERED		$68,277.45	$81,977.70	$75,137.78	$90,873.20	$65,638.08	$65,049.58	$69,791.82	$85,741.24	$69,497.57	$85,446.99
Delivery Time		120 days	120 days	14 -16 wks	14 - 16 wks	60 days	90 days	120 - 140 days	120 - 140 days	120 - 140 days	120 - 140 days
WARRANTY		6 Mo. Parts & Labour	6 Mo. Parts & Labour	Packer 12 Mo. Parts	Packer 12 Mo. Parts	Packer 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	EZ Pack 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo. Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km	Packer 6 Mo.Parts & Labour Chassis 12 Mo. or 20,000 km

* MEETS PACKER BODY MANUFACTURER'S SPECIFIED G.V.W. RATING.

** DIESEL INCLUDES FULL AIR BRAKES.

..../page two

SUMMARY OF TENDER NO. 80-22

REMARKS

1. The foregoing tabulation is a summary of all tenders received in response to the subject invitation.
2. Tenders were invited on an alternate basis for both gas and diesel power units.
3. The price shown in Edwards Ford-Mercury bid alternates four and six include air brakes. These prices would be reduced in total by $3,214.00 if supplied with vacuum assisted brakes as specified.
4. Budgetary appropriation has been established at $72,000.00 (contra current revenue).
5. All bids cover units which meet the specifications generally.

RECOMMENDATION

It is recommended for consideration that Edwards Ford-Mercury Sales Limited alternate number two in the amount of $65,049.58 (tax included price) being net after trade be accepted.

NOTE: A Model M-200 Eazy-Pack Garbage Packing Unit similar to the unit quoted was demonstrated satisfactorily. It was the general concensus that the operational features of the pack loading equipment were functionally superior to the Mark III Packer Unit which was quoted as an alternative. It is of moment that Heil are producing a Mark IV Unit which identifies closely with the design and functional features of the Eazy-Pack Unit.

Subsequent to the reception of tenders it was considered desirable to entertain certain modifications to specification by the incorporation of a front mounted direct drive hydraulic pump as power sourcing for the packer operation. The inception of this feature would obviate the use of the chassis power take-off and the cab mounted actuating clutch which are reportedly high maintenance components.

While the incorporation of this feature would normally add an estimated $800. to $1,000.00 to the cost of each unit. The manufacturer, and the supplier have agreed to absorb this additional cost.

Respectfully submitted,

Schedule "I" to Report No. 60
(Page 1)

MEMORANDUM

JUL 3 1980

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: Labour Management Committee

DATE: July 2, 1980

RE: Amendments to By-Law # 4

Resulting from a unanimous motion passed at the Joint Labour/Management meeting of June 10th, 1980, and based on the concensus established since then, the following amendments are submitted to you for personal presentation to City Council for Council's approval amending By-Law No. 4.

By-Law No. 4, Section 9 (12) A (5) presently reads as follows:

> "When qualifications, skills and education are relatively equal for a specific job, selection criteria will give priority to students hired for the first time on the basis that those residing within the boundaries of the City of Kingston shall be hired first."

Amend Section 9 (12) A (5) by adding:

> "The residency restriction shall not apply to employees' dependents who reside outside the boundaries of the City of Kingston."

Amend Section 9 (12) B (1) by adding the following as sub-section (e):

> "Employment of student temporary replacement shall not exceed a maximum period of three (3) summer vacation periods."

/jt

B. G. Cousens
City Treasurer

Schedule "J" to Report No. 60
(Page 1)

JUL 10 1

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: July 10, 1980

SUBJECT: REQUEST TO COMPUTER-PHOTOGRAPH & SELL MERCHANDISE - LAKE ONTARIO PARK

ORIGIN: See attached letter.

ANALYSIS: This is a new and novel happening and has been in service in some of the local shopping centres. If the line-ups of people to buy the products is an indication of its popularity, I would feel it would be a good promotional project for Lake Ontario Park on this day.

RECOMMENDATION: Subject to suitable financial arrangements in keeping with our lease with Mr. Webb Vivian, I would recommend this request be approved.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg

Schedule "J" to Report No. 60
(Page 2)

K. B. Enterprises

P.O. Box 794 - Kingston, Ontario - K7L 4X8 - 613-544-5222

July 3, 1980.

Parks & Recreation Department
City Hall
Kingston, Ont.
K7L 2Z3

JUL [illegible]80

To: The Honourable Mayor Keyes and City Counsel
City of Kingston

Att: Mr. Peter Lawson

Dear Mr. Lawson,

As you suggested when we came to see you last week, I am writing to you with a request for Council's Permission to operate Kingston Computer Pictures in Lake Ontario Park on Sunday July 27th for their family reunion. As well we would like to be in the park for the long weekend (Aug. 1st through Aug. 4th)

As Bert and I explained, Kingston Computer Pictures is a recently established company using completely portable and mobile equipment. Our business is computerized portraits which can be framed or transferred to various posters and Tshirts; we also offer printed computerized biorhythmic cycles.

All we would require is a small amount of operating space and access to an electrical outlet.

From your helpful manner last week I trust that we can count on your support of our endeveaour. Please feel free to contact our offices at 21A Harvey Street, Kingston, 544-5370 if you require any further information. Thank you for your kind cooperation and we look forward to an early reply. We have as well enclosed a letter of endorsement from the Kingston Tourist Bureau.

Sincerely,

Carole Ann Hastie

Carole Ann Hastie
Kingston Computer Pictures

Schedule "K" to Report No. 60
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 9, 1980

Subject Release of holdback for Contract 79/3W

Origin Public Works Department

Analysis All of the work on this contract except for the top course of asphalt was completed on August 2 1979. At its meeting on December 20, 1979, City Council agreed that the final course of asphalt was to be placed in 1980. The final course has now been placed and the release of the holdback upon completion of the normal 37 day period to cover possible mechanics liens may now be authorized, subject to retention of $4000.00 pending disposition of one claim for blasting damage. Th are no deficiencies.

The M.T.C. have advised us that they will accept the City's figures without audit.

Existing Policy The release of holdbacks under contracts is authorized by Council.

Recommendation That the holdback, in the amount of $6,978.36, be released to the contractor, D.A.Foley Ltd., on or after July 21, 1980, and that $4,000.00 be retained pending the disposition of one claim for blasting damage, subject to the provision of a satisfactory guarantee bond, it being understood that the guarantee maintenance period for the top course of asphalt is to commence July 12, 1980 and the remainder of the work to commen August 21, 1979.

JC/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "L" to Report No. 60
(Page 1)

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: July 10, 1980

RE: Request by M.M. Dillon Limited for the payment of fees in respect of runway construction at Norman Rogers Airport

---

M.M. Dillon Limited have submitted to you an account of $1,218.17 in respect of professional services rendered at the airport. The fees requested were specifically in respect of disbursements. They indicated that their account had been previously submitted, but due to an error on their part they had not included all disbursements. City Council referred this to me to determine whether the City has an obligation to pay this account.

I have examined the Contract entered into between The Corporation of the City of Kingston and M.M. Dillon Limited dated November 29, 1977. Under this contract, in Article 3, there is a detailed breakdown of the payment of fees. I understand, however, that the request is not specifically for professional fees, but for disbursements. Article 4 of the Contract covers disbursements and it reads as follows:

> "The engineer shall be reimbursed for all expenses properly incurred by him in connection with the project including, but not limited to, automobile mileage, reasonable travelling and living expenses, long distance telephone charges, printing and reproductions, progress photography, advertising for tenders, special delivery and express charges, overtime premium payments and the cost of providing and maintaining site offices, supplies and equipment and teletyping and telegraph charges."

The list of disbursements requested would seem to come entirely within this clause, being covered under long distance telephone charges, travelling and living expenses, automobile mileage and reproduction. The charges must also be reasonably incurred under this probject, and I have spoken briefly with Mr. Stevens about this matter and he has confirmed that these charges were reasonably incurred in connection with this project.

Although the account was rendered late due to the oversight on M.M. Dillon's part, this would not allow the City to refuse to pay the account, since the account was properly incurred under the terms of the agreement. I would therefore recommend that since the account comes strictly under the agreement between the City and the consulting engineer, that the account be paid.

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "M" to Report No. 60
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 10, 1980
Subject	Sanitary Sewer Construction - Day Labour
Origin	Public Works Department

Analysis

The servicing of the proposed residential developmen on the former Kingscourt Public School site involves sewers on Oak St and Kingscourt Ave. The excavation on Kingscourt Ave will include a considerable amount of rock but it is anticipated that on Oak St it will be in earth. The sanitary sewer work on Oak St and storm water laterals can be done by our own forces. The size of the main is 200 mm in diameter. By doin this work by day labour, it will extend the preventi maintenance program of sewer cleaning longer in the year and into the usual slack period depending on wh winter control has to be started.

Financial

Financing for this project will come as a loan from the Housing Incentive Reserve Fund which would have to be repaid when the lots are sold.

The Engineering estimate for this work was $20,300.0 The estimate by the City Yard is $23,000.00. Prior doing the work last year on Palace and Wright, the Yard estimate was decidedly higher than the Engineer estimate. The actual cost was below the Engineering estimate.

The servicing price will influence lot price. For this reason, it is suggested that maximum chargeable to the project be controlled by authorizing charging such labour and equipment as may be necessary to maintenance of sewers so that the costs to the housing project are limited to the Engineering estimate plus 5%.

Recommendation

That the construction of a 200 mm diameter sanitary sewer in Oak St from Victoria St to Cameron St incluc sanitary and storm services plus excavation and backfilling for water service trench (water services by P.U.C.) by day labour be authorized with labour and equipment costs being partly allocated to maintenance of sewers, if necessary, to limit the costs to the project to the Engineering estimate plus 5 percent.

DG/gg

D.Graham, P.Eng
Commissioner of Works

JUL 10 1980

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Mr. D. Graham, P.Eng.,
Commissioner of Works.

DATE: July 10, 1980.

SUBJECT: Release of 2½% Holdback to D. A. Foley Construction Limited Under Contract 79-2W.

ORIGIN: Public Works Department.

ANALYSIS:

Works included in the aforementioned contract have been completed on June 13, 1980, without deficiencies. Auditting work was undertaken by M.T.C. early this year because 96% of the works were done in 1979. The 2½% holdback was in the amount of $12,475.88. The M.T.C. audit reported a $275.20 over-payment. The balance payable to D. A. Foley Ltd. is $12,200.68.

EXISTING POLICY:

Releasing of holdback is to be authorized by City Council.

RECOMMENDATION:

That the holdback, in the amount of $12,200.68, be released to the Contractor, D. A. Foley Ltd., for Contract 79-2W on or after July 21, 1980, as the work has been completed without deficiencies subject to the provision of a satisfactory guaranteed maintenance bond, it being understood that the guarantee period for the top course on Union, Montreal and Dalton is to commence June 13th, 1980, and the remained to commence October 17th, 1979.

D. Graham, P.Eng.,
Commissioner of Works.

DG/is

Telephone:

THE CORPORATION OF
THE CITY OF KINGSTON
OFFICE OF THE MAYOR

CITY HALL
KINGSTON, ONTA
K7L 2Z3

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: Ken Keyes
Mayor

DATE: July 11, 1980

SUBJECT: Laser World's Championships, July 26 - August 10

ORIGIN: Letter from Chairman Bud Gormley

ANALYSIS: In Bud Gormley's letter he requests specific assistance from the city as follows:

1. Declare Kingston Laser World's Weeks July 26 - August 10.
2. Permission to designate Monday, July 28 as th "City of Kingston Welcoming Reception."
3. Financial assistance towards the reception.
4. Invitation to elected and appointed officials

FINANCIAL CONSIDERATION: Since receiving the letter from Bud, I have been touch with him and he now has a financial offer f Mateus Wines to cover the cost of the reception b still billing it as the "City of Kingston Welcomi Reception." No costs, therefore, are connected w any of the requests in Mr. Gormley's letter.

RECOMMENDATIONS:

1. I recommend that the City Council declare the period July 26 - August 10 as Kingston Laser Weeks. The regatta committee will pay the cos of the ad.
2. I recommend that City Council accept the invit tion to designate Monday, July 28 as the "City Kingston Welcoming Reception." Each member of Council plus guest, plus each department head guest is invited to attend this opening recept (invitation to follow).

REPORTS (Cont'd)

Report No. 61 - Rideaucrest Home Committee

Ald. Matthews presented Report No. 61 of the Rideaucrest Home Committee.

Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Report No. 61 of the Rideaucrest Home Committee be received and adopted.

REPORT NO. 61

July 3, 1980.

To the Mayor and Aldermen:

The Rideaucrest Home Committee reports and recommends as follows:

1. That the firm of Elliott Associates, Architects, be engaged as architects for the kitchen renovations at Rideaucrest Home if their fee does not exceed 10% of the estimate of the work based on the approved drawings arrived at by the architects.

CARRIED

Respectfully submitted,

(Signed) K. *Matthews* (Chairman)
Neil McArthur
Bill Bishop
J. *Gerretsen*
A. *Lampropoulos*

COMMITTEE OF THE WHOLE (Cont'd)

MOTIONS

(1) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

That council review By-Law No. 2958, "A By-Law to Provide for the Regulat
Control, Inspection and Licensing of Signs."

REFERRED TO THE CITY SOLICITOR

(2) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That council instruct the Chief Administrative Officer and the Personnel Director to establish an annual job performance and evaluation review program for all non union personnel to commence January 1, 1981;

- and further -

That the criteria be established with the assistance of Mr. V. McDonald and report back to council for approval before September 1, 1980.

CARRIED

Mr. D. Graham withdrew at 10:15 p.m.

(3) Moved by Ald. Bishop,
Seconded by Ald. Webb,

That whereas the village of Portsmouth contains many buildings and structures of great historical importance,

And whereas there is presently situated in Portsmouth an ancient and antique inn known as the Lakeview Manor Hotel which has had a positive influence on the lifestyle and deliberations of Kingstonians for centuries,

And whereas the current structure known as the Lakeview Manor Hotel is historic, both in architecture, spirit and memories of Kingstonians,

Therefore be it resolved that the Local Architectural Conservation Advisory Committee consider the site for historic designation.

LOST 2:10

(See Recorded Vote)

Ald. Gerretsen requested a recorded vote which was as follows:

YEAS: Ald. Bishop, Ald. Webb (2)

NAYS: Mayor Keyes, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky (10)

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

NOTICE OF MOTION

(1) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That council review By-Law No. 10, "A By-law Respecting Streets".

REFERRED TO COMMITTEE OF THE WHOLE FOR MEETING OF JULY 28, 1980

BYLAWS

Council consented to the addition of By-laws 13 and 14 in accordance with Clauses 17 and 18 of Report No. 60 of the Chief Administrative Officer.

(A) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That By-laws 1 to 5 and 13 and 14 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That By-laws 5 to 12 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 79-265,"A By-Law to Establish a Site Plan Control Procedure and Establish the Composition and Duties of the Site Plan Control Committee." (Alternate Member of Council to be Appointed)

FIRST AND SECOND READINGS PROPOSED NO. 80-151
Clause 1, Report No. 58, 1980

(2) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours" (Amend Rotation Schedule)

FIRST AND SECOND READINGS PROPOSED NO. 80-152
Clause 1, Report No. 59, 1980.

BYLAWS (Cont'd)

(3) A By-Law to Authorize the Execution of an Agreement with Her Majesty the Queen, in right of the Province of Ontario as represented by the Minister of Transportation and Communication (Kingston Transportation Study)

FIRST AND SECOND READINGS PROPOSED NO. 80-153
Clause 1, Report No. 60, 1980.

(4) A By-Law to Amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of the Corporation of the City of Kingston" (Clause 9, Report No. 60)

FIRST AND SECOND READINGS PROPOSED NO. 80-154
Clause 9, Report No. 60, 1980.

(5) A By-Law to Confirm the Proceedings of Council at its Meeting held on July 14, 1980.

THREE READINGS PROPOSED NO. 80-155
City Council Meeting No. 37, 1980

(6) A By-Law to Provide for an Interim Tax Levy in the City of Kingston.

THIRD READING PROPOSED NO. 80-137
Clause 10(a), Report No. 52, 1980

(7) A By-Law to Repeal By-Law No. 99, "A By-Law to Receive Advance Payment of Taxes to allow a Discount Thereon".

THIRD READING PROPOSED NO. 80-138
Clause 10(b), Report No. 52, 1980

(8) A By-Law to Amend By-Law No. 6, "A By-Law Respecting the Payment of Taxes" (Change Due Date of Taxes from May 21st to June 30th and Change the Penalty Date from May 21st to June 30th).

THIRD READING PROPOSED NO. 80-139
Clause 10(c), Report No. 52, 1980

(9) A By-Law to Amend By-Law No. 2958, "A By-Law to Provide for the Regulation, Control, Inspection and the Licensing of Signs" (Amendment to Section 25(1) - Chez Piggy Restaurant).

THIRD READING PROPOSED NO. 80-143
Clause 5, Report No. 54, 1980

BYLAWS (Cont'd)

(10) A By-Law to Amend By-Law No. 2566, "A By-Law to Provide for the Licensing of Electricians in the City of Kingston" (Add City of Thunder Bay).

THIRD READING PROPOSED NO. 80-144
Clause 12, Report No. 55, 1980

(11) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Permit Banner Over Princess Street - Kingston Pops Concerts).

THIRD READING PROPOSED NO. 80-146
Clause 24, Report No. 55, 1980

(12) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clauses 26 and 27, Report No. 55, 1980).

THIRD READING PROPOSED NO. 80-147
Clauses 26 and 27, Report No. 55, 1980

(13) A By-law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation and Use of the Parks and Recreation Facilities of the Corporation of the City of Kingston" to provide that admission prices to the Kingston Pump House Steam Museum be waived on a day to be determined in July or August, 1980 for the promotion of "Kingston Museum Day".

FIRST & SECOND READING PROPOSED NO. 80-156
Clause 17, Report No. 60, 1980

(14) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Banner - Kingston Pops Concert).

FIRST & SECOND READING PROPOSED NO. 80-157
Clause 18, Report No. 60, 1980

UNFINISHED BUSINESS

Alderman Webb said he had requested but not received from the Chief Administrative Officer a list of aldermen who had attended at least one convention this year. He said that a previous resolution provided that each appointed person and each elected official be permitted to attend one convention per year at City expense. He said that many aldermen would be attending the A.M.O. convention at their own expense unless that resolution were rescinded.

Alderman Webb said he was very disturbed at the lack of news coverage given to the desecration of Jewish graves in France recently. He said he felt that the Government of Canada and other municipalities who sent people to the armed forces should express their horror and disgust at the abominable actions of those unknown people.

Alderman Webb said that he felt an apology was owed to a supervisor at the Post Office for comments made in a recent article in the Kingston Business Review by the Secretary of the Chamber of Commerce regarding the "red tape jungle" at the Post Office. He said that one of the alternatives of dealing with insufficient postage on the large number of letters in that instance would have been to send them out and collect double the amount owing at the other end, which would have been more unacceptable than the decision made.

Alderman Miller commended the actions of the postal authorities in delivering mail on her return home from a recent vacation, and agreed with Alderman Webb that most actions of postal employees are considerate.

Alderman Miller said she was concerned about the attitude expressed by the downtown revitalization consultant hired by the City in a recent newspaper article with respect to the L.A.C.A.C. committee. She said she had worked with L.A.C.A.C. for some years and was quite convinced that no one on the committee was motivated by personal gain and would like to see it pointed out if such were the case. If not, she said she would like an apology for a comment which she considered to be a slur against the committee.

ADJOURNMENT

Moved by Alderman McArthur,
Seconded by Alderman Matthews,

That Council do now adjourn.

CARRIED.

Council adjourned at 10:45 p.m.

(L.S.)

(Signed) *M. Houghton*
Acting City Clerk
Pro Tempore

(Signed) *Ken Keyes*
Mayor

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
AUG - 1980

CITY COUNCIL MEETING NO. 38

The Regular Meeting of City Council will be held on Monday, July 28, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE IN CAMERA

(A) That Council resolve itself into the Committee of the Whole in Camera to consider the following item:

(1) Land Sale - Davidson Street

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole In Camera and the Chairman report.

- or alternatively -

That Council rise from the Committee of the Whole In Camera without reporting.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved, and confirmed.

MINUTES

(A) That the Minutes of Meeting No. 36 held on July 2, 1980 be amended as follows: Page 1291, Motion No. 1, add the following prior to the Motion, "Alderman Hawkins declared a conflict of interest in Motion No. 1 as his wife is a member of Local 141", and further to add after Motion No. 1 the words, "Alderman Hawkins abstained." and, as amended, the minutes be confirmed.

(B) That the minutes of Meeting No. 37 held on July 14, 1980 be confirmed.

PETITIONS

AO5
1

TABLING OF DOCUMENTS

(1) Copy of the Annual Report of the Kingston Police Force for the year 1979.

(Note: Copies have been distributed to all members of Council)

(2) Copy of a report from Ms. Mary Fraser, Chairman of the L.C.A.C. Committee, on the potential historical and/or architectural designation of buildings in the Downtown Redevelopment Area.

(Note: Copies have been distributed to all members of Council)

COMMUNICATONS

Which has been Referred to the Planning Board

(510) From the Cataraqui Region Conservation Authority on the matter of fill application renewal to Bob Martin Construction Co. Ltd., Parts of Lot 15 & 16, Conc. II, City of Kingston, and advising that the Authority has previously granted a land fill permit to Bob Martin Construction. This permit expired on December 31, 1979 and in a letter dated July 7, 1980 to the Authority, Mr. Bob Martin requested that this permit be renewed for the 1980 calendar year.

If the City has not submitted any comments to the Conservation Authority by August 8, 1980 it will be assumed that the City does not have any.

File No. 3-16

To be Referred to the Committee of the Whole

(511) From the City of Brampton forwarding a copy of a letter they received from the Hon. Thomas L. Wells, Minister of Intergovernmental Affairs, in which the Minister has rejected the City of Brampton's resolution requesting a grant to cover the additional cost of conducting an election every two years rather than every three years. (Communication No. 402).

The Minister has advised the City of Brampton that there has been little, if any, indication by the public that they are interested in a three-year term in the interests of saving money. Rather, the indications that the Minister has received support the retention of the two-year term as a means of greater accountability.

The Minister states that it is not the intention of the government to make a grant to "cover such additional cost" as he does not believe that not realizing a saving due to the retention of the two-year term of office can be considered an additional cost.

The City of Brampton advises that they are conducting a survey to determine the views of municipalities as to their preference for a one, two or three year term for municipal council and therefore are requesting that the City of Kingston forward its views in this regard, on or before September 15, 1980.

File No. 19-7

To be Filed

(512) From the Senior Citizens Council Inc. (Kingston and Area) thanking the City for its cheque in the amount of $10,561. as its 1980 grant.

With the financial support of the Province of Ontario and the City of Kingston, the Senior Citizens Council has been able to hire a Friendly Visiting Co-ordinator to help relieve the loneliness of many of this city's elderly.

File No. 7-3

COMMUNICATIONS (Cont'd)

To be Referred to the Planning Board

(513) Copy of a letter to Mr. Walter Malaniuk, CEDEK Management Corporation, Mississauga, from the Secretary to the Board of Directors of the Frontenac Condominium Corporation No. 1, advising of their intention to protest CEDEK Management Corporation's proposal for the redevelopment of Lot 13-17, Plan 54 at 28 Yonge Street (Lakeview Manor) Kingston.

The Frontenac Condominium Corporation No. 1 states that their objections to the proposed redevelopment are many and are based on different grounds. They claim that these objections will, in due course, be made publicly before the appropriate forums.

File No. 25-2

To Be Filed

(514) From the Children's Aid Society (City of Kingston & County of Frontenac) regarding their budget for 1980, and advising that they have not been able to come to an agreement with the Province of Ontario so have applied to the Minister for a Child Welfare Review Board hearing. If agreement is not reached, the Ministry will request the municipalities to appoint a member to the Committee.

The Children's Aid Society has expressed its appreciation for the support it has received from its two local municipalities.

File No. 3-4

To be Referred to the Director of Planning and to the City Solicitor

(515) From Mr. J.B. Sampson forwarding a copy of a reply he received from Premier William Davis in which Mr. Sampson is advised that September 2, 1980 is the scheduled date for the O.M.B. hearing on the matter of the 140 Unit Condominium at the corner of Bath Road and Sir John A. MacDonald Blvd. (Communication No. 465).

In Mr. Sampson's appeal to the O.M.B. he is relying on Section 5 of the Planning Act revision (Bill 96) which deals with height and density and on Section 9 which deals with conditions to be imposed.

Mr. Sampson's main complaint is that the Building Inspection Department has applied Section 4.48 of Zoning By-Law 8499 to reduce the number of units to 67, in the face of the special section of the same zoning by-law, Item No. 138, which permits the 140 units. Mr. Sampson is requesting that the City rectify these inconsistencies.

Amongst other matters to be brought before the O.M.B. hearing, Mr. Sampson is hereby giving notice that he will ask for plot and site plans of the three large scale units in the course of construction along Ontario Street, where it appears there is little green space presently shown; whereas, the Bath Road project occupied only 17% of the lot occupancy, thus enabling livable amenities to be provided.

File No. 3.12-4.1

COMMUNICATIONS (Cont'd)

To be Referred to the Planning Board

(516) From Homestead Land Holdings Limited requesting that the City give consideration to their proposed amendment limiting the number of units for Block "S" to 320. They ask that Council's decision be made before the O.M.B. hearing reconvenes.
File No. 25-2.4-24

To be Referred to the N.I.P. Co-ordinator and Housing Officer

(517) From the Ontario Ministry of Housing forwarding a copy of their "Annual Housing Review, 1981". The package contains the following:

- a seven-part questionnaire which includes sections on the following programs - Non-Profit, Assisted Rental, Rent Supplement, Rural Senior Citizen Housing Rental Housing, and Municipal Housing Statement;
- outlines describing these programs;
- a guide to completing the survey; and
- Form A which requests our comments on current programs and Ministry staff assistance.

They ask for a reply by September 30, 1980, to expedite their planning for negotiations with the federal government on their assisted housing targets for 1981.
File No. 8-3.9

To be Referred to the Commissioner of Works

(518) From the Township of Pittsburgh giving notice under Section 12 of The Local Improvement Act that they intend to construct a watermain which will include the City's frontage on Highway No.2 at the Water Pollution Control Plant. The estimated cost for this frontage (444.25 m) is $26,237.41 or approximately $3514.02 annually for 20 years. The last date for petitioning against the work is August 13, 1980.

File No. 17-3.4

To be Referred to the Downtown Core Committee and the Downtown Revitalization Committee

(519) From Mr. G. G. Muirhead, Director of Planning and Urban Renewal, forwarding comments on a number of statements from the report which was submitted by the St. Lawrence Valley Society of Architects in May 1980 concerning Scheme "A" proposed by Chartwood Developments Ltd. Mr. Muirhead feels that there are a number of statements in this report which deserve comment if the goal of the downtown revitalization is to be maintained in perspective.

(Note: Copies of this report were distributed to Members of Council on July 19, 1980.)

File No. 4-3.5

To be Filed

(520) From the Association Review Committee 1980 enclosing a copy of their Final Report dated June 16, 1980. This Committee is made up of representatives from the Association of Municipalities of Ontario, the Rural Ontario Municipal Association and the Association of Counties and Regions of Ontario and was formed to review the municipal association structure in Ontario.

File No. 1-1

COMMUNICATIONS (cont'd)

To be Filed

(521) From the Association of Municipalities of Ontario forwarding a copy of their AMO Bulletin outlining the preliminary program for the AMO Annual Conference to be held at the Royal York Hotel, Toronto, from August 17th to August 20th, 1980.

File No. 1-5

To be Referred to the City Solicitor and to the Director of Planning and Urban Renewal

(522) From the Ontario Municipal Board advising of an Appointment for Hearing in the matter of an application by John B. Sampson with respect to development plans for a proposed building at a density of 50 dwelling units per acre on lands comprising of Part of Farm Lot 19, Concession II in the City of Kingston and situated at the northwest corner of Bath Road and Sir John A. Macdonald Blvd. Hearing date is September 2nd, 1980, at 1:00 p.m.

File No. 25-2.3-13

To be Referred to the Planning Board

(523) From the Ontario Municipal Board in the matter of an appeal by Dimitrios Stratis from a decision of the Committee of Adjustment of the City of Kingston. The Board advises that the appeal must be dismissed, the decision of the Committee of Adjustment is confirmed, and the variance denied.

File No. 3-12

To be Filed

(524) From the Frontenac County Schools Museum Association thanking the City for granting their request to temporary close Clergy Street between Barrie and Earl Streets in order that they could conduct a bicycle parade and road-eo.

File No. 20-9

Which has been Referred to the Downtown Revitalization Committee

(525) From the Ministry of Housing acknowledging receipt of the City of Kingston's application of May 13, 1980, requesting a Provincial loan of $7.3 million under the Ontario Downtown Revitalization Program.

They also advise that they have reviewed Professor Chapman's report ("The Kingston Central Business District: A Marketing Analysis" - August, 1978) and found that it did not address the current and anticipated retail market situation in the context of what possible impact the Chartwood Project might imprint upon the existing downtown retail sectors. They point out that a revitalization project, in order to achieve the desired catalytic effect, must be integrated with the existing downtown entities.

File No. 4-3.5

(Note: A copy of the letter was distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

To be Referred to the City of Kingston Planning Board

(526) From the Township of Kingston enclosing a copy of a letter from the Ontario Municipal Board, dated July 16th, 1980, advising that the hearing scheduled for July 29th regarding By-Law 80-8, T. Tait, Armstrong Road, has been cancelled. Objections to the By-Law have been withdrawn.

File No. 21-4.11

To be Filed

(527) From Kingston Laser World inviting members of Council and their guests to the Mateus Wines Reception to be held on Monday, July 28, 1980, from 5:00 p.m. until 7:00 p.m. at the Portsmouth Olympic Harbour, upper deck. They would appreciate a brief appearance from anyone who could attend even though it is a Council night.

(Note: Copies of the letter were distributed to all members of Council.)

File No. 17-9.2

To be Referred to the Commissioner of Works

(528) From Superior Recycling Limited, Toronto, submitting a proposal with respect to the collection of newspaper throughout the City of Kingston.

File No. 7-1.2

To be Referred to the Committee of the Whole

(529) From R. B. Ruttan, Chief Building Official, regarding the use of 428-A Barrie Street, Kingston, as a community hall by the Kingston Azores Soccer Club.

(Note: Copies of the memorandum from Mr. Ruttan to the City Solicitor have been distributed to all members of Council.)

File No. 25-2 and 12-6

To be Referred to the Committee of the Whole

(530) From Ald. George Webb concerning the proposed club house or community hall at 428-A Barrie Street as submitted by the Kingston Azores Soccer Club. He states that he is very concerned about this matter in which a petition was presented to Council at its last meeting containing 112 names in opposition. The proposed use is not compatable in a residential district in which there are many shift-working, elderly people, etc. There are no parking facilities save for a mutual driveway, which is partly on private property and which is already being abused by the members of this organization. The adjoining property owner has already suffered a heart attack which Ald. Webb believes may have been because of worry and concern over this matter. Ald. Webb implores Council to resist the granting of a licence by the L.L.B.O. which, he understands, is one of the conditions of sale of the property.

File No. 25.2 and 12-6

COMMUNICATIONS (Cont'd)

To be Filed

(531) From Ald. George Webb advising that he will be on holiday next week and will miss the Council meeting of July 28, 1980.

File No. 3-6

To be Referred to the Administrator of Traffic, Streets & Parking

(532) From Ald. George Webb advising that he has received several complaints of a dangerous situation at the southeast corner of Patrick Street and Raglan Road of some underbrush that, because of its density, frightens people walking by, especially at night, for obvious reasons. He requests that this matter be attended to.

File No. 2-1.3

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to hear delegations, receive reports and to consider a motion.

DELEGATIONS

(1) Mr. John Rooney, 311 Avenue Road, will be present with regard to the erection of a stop sign at Avenue Road.

(2) Mr. Arnold Vandermeer and Mr. Vernon Short will be present with regard to the Site Plan Control Committee Report.

REPORTS

That Report No. 62 of the Site Plan Control Committee be received and considered.

That Report No. 63 of the Kingston Planning Board be received and adopted.

That Report No. 64 of the Chief Administrative Officer be received and considered.

REPORT NO. 62

July 21, 1980.

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

WHEREAS the owner has requested an extension to July 31, 1981;

THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

(See Schedule 'A' attached hereto - 2 pages)

Respectfully submitted,

CHAIRMAN

Schedule 'A' to Report No. 62
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

N Jackson

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule 'A'to Report No. 62
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORT NO. 63

July 23, 1980.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an appeal by Homestead Land Holdings Ltd. against a decision by the City of Kingston not to approve zoning to permit development at 50 units per acre on a site at Portsmouth Avenue and Bath Road, known as "Block 'S', Calvin Park, is currently before the Ontario Municipal Board; and

WHEREAS the site is currently zoned to permit development at 28 units per acre; and

WHEREAS Homestead Land Holdings Limited has submitted plans which propose a compromise density which would permit 320 dwelling units (approximately 38 units per acre); and

WHEREAS this matter has been considered by the Planning Board, which is of the opinion that the matter should remain under the jurisdiction of the Ontario Municipal Board until such time as a decision is made;

THEREFORE BE IT RESOLVED that the proposal made by Homestead Land Holdings Limited with respect to an amendment to limit the number of units to be developed on the site at Bath Road and Portsmouth Avenue, BE NOT CONSIDERED.

(See Schedule 'A' attached hereto - 1 page)

2. WHEREAS By-Law No. 80-94, a by-law to rezone a 5.5 ha parcel of land north of Counter Street from M Industrial to M.177 Industrial in order to permit a limited number of commercial uses, was passed by Council on April 28, 1980; and

WHEREAS notification of the amending By-Law No. 80-94 has been sent to the affected property owners; and

WHEREAS a letter of objection to this By-Law has been received and considered by the Planning Board;

THEREFORE BE IT RESOLVED that By-Law No. 80-94, passed on April 28, 1980, be reaffirmed.

3. WHEREAS Robert B. Martin Construction has requested approval of the Minister of Housing to allow an existing 86 unit apartment building and a proposed 81 unit apartment building, located on the west side of Queen Mary Road, north of Bath Road, to be converted to condominium ownership (10CDM-002 and 10CDM-003); and

3. (Cont'd)

WHEREAS the Minister has requested the comment of the City and the request has been circulated to City technical staff; and

WHEREAS no physical change to the approved site plans is proposed; and

WHEREAS this proposal conforms to the Official Plan and Housing Policy Statement of the City;

THEREFORE BE IT RESOLVED that the Minister of Housing be informed that the City of Kingston has no objections to the applications for condominium approval provided the approval does not result in any change to the approved site plans.

4. WHEREAS the Minister of Housing has notified that certain changes to the condominium plan review process are to be instituted; and

WHEREAS the proposed changes encourage the use of Section 50(3) of The Condominium Act to exempt applications from the requirements of Section 33 of The Planning Act where normal planning concerns have already been addressed by the municipality;

THEREFORE BE IT RESOLVED that the Minister of Housing be informed that the City of Kingston endorses the proposed changes to the condominium plan review process.

(See Schedule 'B' attached hereto - 3 pages)

5. That, as recommended by the Local Architectural Conservation Advisory Committee, the proposed sign for the Frontenac Hotel (178-186 Ontario Street), being a building designated under The Ontario Heritage Act, as shown on plans prepared by Eskerod Signs Limited, dated April 22, 1980 (Dwg. No. 483), be approved.

6. That the Cataraqui Region Conservation Authority be informed that the City of Kingston has no objection to the renewal of a fill permit to Bob Martin Construction Limited, with respect to filling on parts of Lots 15 and 16, Concession II, City of Kingston, on the same basis as the original permit was granted.

7. That the Cataraqui Region Conservation Authority be informed that the City of Kingston has no objection to the renewal of a fill permit to Greenwood Brothers Limited, with respect to filling on Lots 23, and 24, Concession III, City of Kingston (west side of Division Street, north of Dalton Avenue) on the same basis as the original fill permit was granted.

8. That the following resolution, passed by Council at its meeting on June 5, 1980 (Clause 1, Report No. 49) be reaffirmed:

"That, as recommended by the Local Architectural Conservation Advisory Committee, all brick streets in the City of Kingston be preserved and maintained as such for the enjoyment of future generations, particularly the foot of Johnson, Brock and Clarence Streets, and that portion of Pine Street which are paved with brick, and that approaches be made to the Ontario Heritage Foundation and the Kingston Historical Society for support for the preservation and maintenance of these particular streets"

- and further -

That the aforementioned cobblestone streets (foot of Johnson, Brock and Clarence Streets and a portion of Pine Street) be preserved, restored and maintained to the best of the City's ability.

Respectfully submitted

CHAIRMAN

Schedule "A" to Report No. 63
(Page 1)

Homestead Land Holdings Limited
80 JOHNSON STREET
Kingston, Ontario
K7L 5C7

P.O. BOX 1453

TELEPHONES:
RENTALS – 546–3146
CONSTRUCTION – 546–1534
** LEGAL – 544–6673

July 10th, 1980

Mayor & Council
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

RE: REQUESTED ZONE CHANGE - BLOCK "S"

Dear Sirs:

At the O.M.B. hearing in this matter, July 8th, Mr. Hugh Kelly, the presiding chairman, commented that our proposed amendment limiting the number of units to 320 had not been considered by the City, and that he would, therefore, rule only on the straight rezoning to B3, which permits 50 units per acre. Our evidence supports the higher figure and the compromise proposed was an effort to recognize and overcome the objections of some twenty area residents.

We therefore ask that the City give consideration to the proposed amendment, in order that its decision may be placed before the board when the hearing is reconvened. We have written to the Planning Board suggesting a meeting to discuss some solution, which will hold the density substantially below B3, but still follow the Official Plan more closely than the present zoning.

Yours sincerely,

HOMESTEAD LAND HOLDINGS LIMITED,

Per:

A. Britton Smith

ABS*ch

c.c.
***Mr. George Muirhead,
Director of Planning & Urban
Renewal;
Mr. Norman C. Jackson,
City Solicitor.

Schedule "B" to Report No. 63
(Page 1)

FILE
[illegible]

SCHEDULE 'H'

Ontario

Office of the Minister

Ministry
of
Housing

Hearst Block
Queen's Park
Toronto Ontario
M7A 2K5
416/965-6456

CITY COUNCIL [illegible]
MEETING OF: Planning Board
23 JUN 1980

COMMUNICATION
No: 458

June, 1980

To: Municipalities with condominium development activity

Re: Revised Procedure for Condominium Plan Review

The Government of Ontario is committed to promoting the streamlining of the planning process. With this objective in mind, I am endorsing certain changes to the condominium plan review process.

The changes encourage the use of section 50(3) of The Condominium Act to exempt applications from the requirements of section 33 of The Planning Act where normal planning concerns have already been addressed by the municipality.

I have attached an outline to establish where I believe the revised process would be appropriate and procedures to be followed.

I count on your support to implement this change to the condominium plan review process.

Yours sincerely,

Claude F. Bennett

Claude F. Bennett
Minister
M.P.P. Ottawa South

Attachment

City of Kingston
RECEIVED
JUN 23 1980
DEPARTMENT OF
THE CITY CLERK

OUTLINE

CONDOMINIUM PLAN REVIEW PROCESS

Approval Process

- applicant submits draft plan of condominium and application form
- initial review by ministry or delegated municipality and circulation of plan to local municipality (and regional municipality if appropriate) and occasionally to other agencies
- review of replies to circulation, resolution of any problems or conflicts and issuance of draft approval subject to appropriate conditions
- applicant submits final plans and any necessary clearance letters (i.e. from the municipality)
- final approval given to allow registration of condominium

Exemption Process

- applicant submits:
  - a) final plan of condominium and application form
  - b) letter from the local municipality (and regional municipality if appropriate) supporting exemption from approval
- evaluation by ministry or delegated municipality
- exemption given to allow registration of condominium

Relevant legislation is section 50(2), (3) of The Condominium Act.

50 (2) Subject to subsection 3, the provisions of section 33 of The Planning Act that apply to plans of subdivision apply, with necessary modifications, to descriptions under this Act, and a description shall not be registered unless approved or exempted by the Minister of Housing.

(3) Before making an application under subsection 1 of section 33 of The Planning Act, the owner of a property or someone authorized by him in writing may apply to the Minister of Housing to have the description or any part of the description exempted from such section 33, or from any provisions thereof, and where in the opinion of the minister such exemption is appropriate in the circumstances, he may grant the exemption.

Procedure for Exemption under section 50(3) of The Condominium Act

1. The proponent (builder/developer) applies to the approving authority for exemption from the requirements of section 33 of The Planning Act. If the proponent has the written support of the affected municipality for exemption the application is dealt with right away. The process will apply equally to new condominiums and conversions from rental to condominium. (If the municipality does not wish to recommend exemption, they may recommend approval subject to municipal conditions. Any recommendation for approval is to be accompanied by full justification to assist the approving authority in its decision.)

2. The exemption procedure is appropriate where the condominium development is subject to a by-law passed under section 35a of The Planning Act or where it conforms to an approved official plan and zoning by-law and is included within a registered plan of subdivision. In that the development will have already undergone a full planning evaluation, no further concerns or conditions of approval would be required from the municipality.

3. Where the approval authority decides to exempt, a certificate of exemption stamp is affixed to the final plans. The certificate of exemption permits the applicant to register the plan of condominium. (Where the decision is not to exempt but to approve with conditions, a draft approval is issued with appropriate conditions as usual under section 33 of The Planning Act.)

4. Whether the decision is to exempt or approve, copies of the stamped plans are forwarded to the Legal Survey Standards Branch, Ministry of Consumer and Commercial Relations in the usual way. (Where the municipal decision is to not approve, the proponent still has the option of referral to the Ontario Municipal Board under section 44(1) of The Planning Act.)

Prepared by:

Plans Administration Division
June, 1980

REPORT NO. 64

July 28, 1980.

To the Mayor and Members of Council

The Chief Administrative Officer reports and recommends as follows:

1. That the matter of the City's contribution to the Lemoine Point Conservation Area Project be considered.

   (Note: A report of the City's contribution for the years 1976-1980 is attached hereto as Schedule "A", 1 Page.)

2. That, as recommended by the City Treasurer, List of Accounts No. 6, dated June, 1980, in the amount of $6,643,786.39, for expenditures incurred under proper authorization, be approved.

   (Note: A copy of the List of Accounts No. 6 was distributed to Members of Council on July 11, 1980.)

3. That the following resolution from the Town of Durham be considered:

   "That a Resolution be circulated to the Municipalities with Police Commissions and to the A.M.O. requesting their support to change the policy of Ontario Police Commission so that the Commission contain a majority of elected representatives."

4. That the appointment of the following members of Council as voting delegates to the 1980 A.M.O. Conference, to be held in Toronto, August 17th to 20th, 1980, be approved:

   Ald. J. P. Gerretsen
   Ald. M. Gorham
   Ald. W. Knapp
   Ald. Y. Tarnowecky

   (Note: Mayor Keyes is a voting delegate by virtue of his office as a member of the A.M.O. Board of Directors. The City of Kingston is entitled to a maximum of 5 voting delegates.)

5. WHEREAS City Council, at their meeting held on March 17, 1980, approved a budget of one million dollars for the Transit Operating Deficit, less any increase in Busit programs;

   AND WHEREAS the Public Utilities Commission subsequently received the Busit approval;

   THEREFORE BE IT RESOLVED that, as recommended by the City Treasurer, the following budget transfer be approved:

	Increase	Decrease
Transit Operating Deficit		$89,870.00
Finance Contingencies	$89,870.00	

   - AND FURTHER -

   That, in order to provide additional funds for the purchase of a 53 passenger bus as requested by the Public Utilities Commission, the following budget transfer to approved:

	Increase	Decrease
Transit Capital Expenditures	$4,569.00	
Transit Subsidy	$3,427.00	
Finance Contingencies		$1,142.00

(Note: A copy of the Report of the Treasurer is attached hereto as Schedule "B", 2 Pages.)

6. That, as recommended by the City Solicitor, the City pay the following amounts to Michael Borenka to settle a dispute with regard to the location of a fence at the northwest corner of First Avenue and County Lot 267, Plan 137, in the City of Kingston:

Repair of Fence	$210.00
Survey Cost - Borenka	260.00
Legal Costs	250.00
Total	$720.00

- and further -

That the following budget transfer be approved:

	Increase	Decrease
Finance Miscellaneous	$720.00	
Finance Contingencies		$720.00

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "C", 1 Page.)

7. That, as recommended by the City Solicitor, the City not object to the application of Bob Martin Construction Ltd. and Robert Bennett Martin (In Trust) under the Certification of Titles Act with regard to property located in the City of Kingston, County of Frontenac, formerly in the Township of Kingston, in the County of Frontenac, being comprised of Part of Lots 15 and 16, Concession II, of the original Township of Kingston, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on plan of survey dated June 12, 1980, signed by William H. Card, O.L.S., provided that the Certificate of Title is subject to the agreement with the City of Kingston dated August 27, 1979, and registered on September 27, 1979, as instrument No. 327582.

8. That, as recommended by the Commissioner of Works, since sufficiently signed petitions have been received to pave Napier Street from Scott to Park Street with curb, gutter and boulevard on the east side, but not for a sidewalk on part of the west side, and, since a sidewalk exists from Park Street to Dunlop Street, it is desirable that this walk be constructed in conjuntion with the pavement to provide for pedestrian traffic and act as a curb for the pavement, a by-law be presented to Council to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier Street from Scott Street to Dunlop Street under Section 8 of *The Local Improvement Act* -

Total estimated cost	$3,727.00
Owner's Share	613.40
Anticipated MTC Subsidy	227.00
City's Share	2,886.60
Debenture Amount	3,500.00

8. (Cont'd)

- and further -

That the following transfer in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement - Sidewalks	$1300.00	
General Rate - Sidewalks		$1300.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "D", 2 Pages.)

9. That, as recommended by the Commissioner of Works, since sufficiently signed petitions have been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

(1) Brock Street (3.1 m wide) N/S from King to Wellington Street

(2) Princess Street (2.04 m wide) N/S from Tower Street to Westerly 27.4 m

under Section 7 of *The Local Improvement Act.*

Allocation of costs are as follows:

Project	Total Cost	Owners' Share	City's Share	MTC Subsidy	Debenture Amount
Brock St.	$14,200.	$6,207.27	$7,269.73	$723.00	$13,477.
Princess St.	2,600.	654.75	1,738.25	207.00	2,393.

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 1 Page.)

(See By-Law 4 - No. 80-159)

10. That, as recommended by the Commissioner of Works, since a fully signed petition has been received, a by-law be presented to Council to authorize the construction of curb, gutter and boulevard in Napier Street, east side, from Scott Street to Park Street under the provisions of Section 7 of *The Local Improvement Act.*

Costs are as follows:

Total estimated cost	$2,531.00
Owners' Share	1,067.62
City's Share	732.38
M.T.C. Subsidy Anticipated	731.00
Debenture Amount	1,800.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "F", 1 Page.)

(See By-Law 5 - No. 80-160)

11. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of the asphalt pavement (9.2 m wide) in Napier Street from Scott Street to Park Street under Section 7 of *The Local Improvement Act*.

Costs are as follows:

Total Estimated Cost	$26,680.00
Owners' Share	4,113.43
M.T.C. anticipated Subsidy	11,283.00
City's Share	11,283.57
Debenture Amount	15,397.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 1 Page.)

(See By-Law 6 - No. 80-161)

12. That, as recommended by the City Treasurer, pursuant to Section 636(a) of *The Municipal Act* R.S.O. 1970, Chapter 284, the applications of persons and firms listed in the attached Schedule "*H*", 5 pages, in the amount of $54,276.54 for cancellation, reduction, or refund of taxes be approved.

(See By-Law 7 - No. 80-162)

13. That payment of the account of Alexander V. Crate Consultants, for professional consulting services provided to the City of Kingston on April 2, 1980, relative to Downtown Revitalization, in the amount of $600.00, be considered.

(Note: A copy of the letter and invoice from Mr. A. V. Crate are attached hereto as Schedule "I", 2 pages.)

14. That, as recommended by the Commissioner of Works, the tender of Gordon Barr Limited, in the amount of $57,935.00, to construct sanitary sewers and service in Counter Street and easement, be accepted being the lowest tender received. These works are fully approved and were part of the 1979 Capital Budget.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "J", 1 page.)

15. That, as recommended by the Commissioner of Works, since the condition of the sidewalk is hazardous and pedestrian traffic is considerable, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk (1.83 m wide) in Ontario Street, east side from 40.23 m south of Barrack Street southerly 20.24 m under the provisions of section 8 of *The Local Improvement Act*. Adequate funds are available in the 1980 Capital Budget.

Costs are:

Total estimated cost	$1,750.00
Owner's Share	875.00
City's Share	875.00
Debenture Amount	1,750.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "K", 1 page.)

16. That, as recommended by the Commissioner of Works, since the condition of the sidewalk is hazardous and Princess Street is a main business street, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk (2.0 m wide) in Princess Street, North Side, from Victoria Street easterly 57.60 m under the provisions of Section 8 of *The Local Improvement Act*, it being noted that adequate funds are available in the 1980 Capital Budget.

Costs are:

Total estimated cost	$5,300.00
Owners' Share	2,279.64
City's Share	2,722.36
M.T.C. Subsidy	298.00
Debenture Amount	5,002.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "L", 1 page.)

(See By-Law 8 - No. 80-163)

17. That, as recommended by the Purchasing Department and the Commissioner of Parks and Recreation, the tender of Donald Dennee in response to Tender No. 80-34 - Concessionary Rights Throughout Certain City Property, offering 20% of the gross be accepted on the understanding that all the conditions contained in the attached agreement are acceptable to the tenderer.

(Note: A copy of the report of the Purchasing Department and the Commissioner of Parks and Recreation is attached hereto as Schedule "M", 8 pages.)

(See By-Law 9 - No. 80-164)

18. That, as recommended by the Commissioner of Parks and Recreation, a By-Law be presented to Council to amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of The Corporation", to provide that the fees for the use of the City Park Recreation Centre by The Kingston Women's Arts Festival on Sunday, August 17, 1980, during the hours of 11:00 a.m. to 4:00 p.m., be waived.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "N", 3 pages.)

19. That, as recommended by the Commissioner of Works and the Purchasing Department, Tender No. 80-29 for Hopper Type Aggregate Material Spreaders be awarded in part as follows:

(1) To Marmac Hydraulics

One Maglar ML8S Spreader	$5,995.00
Trade-In Allowance	600.00
Net Difference	$5,395.00
Provincial Sales Tax	377.65
Total T.I.P. Delivered	$5,772.65

(2) To Maglar Equipment Limited

One King Seagrave, K-61-1 Spreader	$6,464.00
Trade-In Allowance	500.00
Net Difference	$5,964.00
Provincial Sales Tax	417.48
Total T.I.P. Delivered	$6,381.48

(Note: A copy of the Report of the Commissioner of Works and a Summary of Tender No. 80-29 as well as the comments of the Deputy City Engineer, are attached hereto as Schedule "O", 4 pages.)

(See By-Law 10 - No. 80-165)

20. That the report of the Commissioner of Parks and Recreation regarding the repairs to the Newlands Pavilion which was recently vandalized, attached hereto as Schedule "*P*", 1 page, be considered.

21. That the report of the Commissioner of Parks and Recreation regarding an offer which has been received to give to the City of Kingston the sculpture, "First Ship", now located on the grounds of St. Lawrence College, be considered.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "Q", 1 page.)

22. That, as recommended by the Commissioner of Works, payment of the account of Kingston Automatic Transmission Ltd., in the amount of $1,405.18, for repairs to the automatic transmission in truck #355, be authorized, it being noted that the Shop Foreman has been directed in writing to follow the procedure set out in By-Law No. 1 for purchase of supplies.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "R", 1 page.)

23. That, as recommended by the Commissioner of Works, a General Rate Construction By-Law be presented to Council to authorize improvements to the Public Works Yard in the areas of lunch, locker and washrooms, stores, equipment repair, and dispensing of fuel, as shown on Drawing C-50P and the attached sketch, at an estimated cost of $99,000.00, under section 346 of *The Municipal Act* RSO 1970, as amended, it being noted that sufficient funds are available in the 1980 Capital Budget.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "S", 3 pages.)

(See By-Law 11 - No. 80-166)

24. 1) Moved by
Seconded by

That Clause 22, Report No. 55, of the Chief Administrative Officer, now known as Clause 24, Report No. 64, of the Chief Administrative Officer, as follows, be lifted from the table and considered:

2) That, as recommended by the Commissioner of Traffic, Streets and Parking, no action be taken on the Notice of Motion as set out in the attached report.

3) That the Public Utilities Commission be requested to consider discounted monthly transit passes for the following reasons:

a) encourage increased usage of transit;

b) convenience, as no exact fare is required;

c) boarding time is reduced by monthly pass users;

d) transfers are not required;

e) monthly pass riders would have a greater commitment to and identification with the bus system;

f) beneficial energy conservation;

g) downtown parking needs reduced.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "T", 3 pages.)

25. That, as recommended by the Commissioner of Works, Contract 80-4W (improvements to Quebec and Cherry Streets) with Taggart Construction Limited, be amended to add to Part B Sanitary Sewers as follows:

Item No.	Item	Unit	Quantity	Unit Price	Total
10(iv)	replace existing 12" dia. combined sewer on Cherry Street	lf	205#	$45.	$9,225.

(Note: # = This is estimated to be the upper limit of the required replacement. Payment shall be for the footage the Engineer requires the contractor to replace depending on the conditions encountered.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "U", 1 page.)

26. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to grant permission to the Queen's Track and Field Club to temporarily clost the following streets on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon, for the purpose of conducting a 10 Km Competitive Road Race:

Start West Campus Road north to Johnson Street, east on Johnson Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to West Campus entrance Finish on Queen's West Campus Road.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "V", 3 pages.)

27. That, as recommended by the Administrator of Traffic, Streets and Parking, By-Laws be presented to Council to amend By-Law 24 (Traffic), By-Law 495 (Meters) and By-Law 4489 (Parking Lots) as outlined in the Report of the Administrator of Traffic, Streets and Parking which is attached hereto as Schedule "W", 2 pages.

(See By-Law 12, 13, 14 - No. 80-167, 80-168, 80-169)

28. That, as recommended by the Administrator of Traffic, Streets and Parking, the quotation of 3M Canada Inc., in the amount of $7,637.88 (F.S.T. included, P.S.T. exempt), F.O.B. Toronto, for the supply of "Stamark" Brand pavement tape and the use of their application equipment and technical supervision for the period required, be accepted.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "X", 2 pages.)

29. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to amend By-Law No. 10, "A By-Law Respecting Streets", to permit the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period commencing August 13, 1980, to August 17, 1980, to advertise the celebration of Women's Art in City Park on August 17, 1980.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "Y", 1 page.)

(See By-Law 15 - No. 80-170)

30. That, as recommended by the City Treasurer and the Purchasing Department, the tender of E. S. Fox Ltd. in response to Tender No. 80-28, "A Single Package Heat Pump", in the amount of $12,450.00 be accepted being the lowest bid received, subject to their submission of drawings covering ducting and air distribution for approval prior to commencement of installation. it being noted that there are sufficient monies in the 1980 budget for this purpose.

(Note: A copy of the report of the Purchasing Department is attached hereto as Schedule "Z", 1 page.)

31. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to amend By-Law No. 10, "A By-Law Respecting Streets", to grant permission to Mr. F. Roper to pave a 10 foot strip of City boulevard by 60 feet in length at the rear of 47 James Street, on the condition that this asphalt area not be used for parking of vehicles.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "AA", 1 page.)

(See By-Law 16 - No. 80-171)

32. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to grant permission to the Organizing Committee for the 1980 Summer Games to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for the purpose of conducting the 1980 Ontario Summer Games Flame Ceremony.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "BB", 1 page.)

(See By-Law 17 - No. 80-172)

33. That, as recommended by the Administrator of Traffic, Streets and Parking, no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "CC", 2 pages.)

34. That, as recommended by the Administrator of Kingston Airport, the plans as submitted by Torontair and prepared by Chrysler & Latham Ltd., Consulting Engineers, for a proposed 1,460 square foot addition to their building located on Pad No. 2 at the Kingston Airport, be approved, subject to the approval of Transport Canada.

(Note: A copy of the report of the Administrator of Kingston Airport is attached hereto as Schedule "DD", 2 pages.)

Respectfully Submitted,

Mr. B. G. Cousens,
City Treasurer and
Deputy Chief Administrative
Officer.

Schedule "A" to Report No.64
(Page 1)

BREAKDOWN OF CONTRIBUTIONS TO LEMOINE POINT CONSERVATION AREA PROJECT - 1976-1980

Total Acquisition Costs	$1,010,000.
Province of Ontario	656,500.
Township of Kingston	252,505.
City of Kingston	100,995.
Total Development Costs	280,237.
City of Kingston's Share	31,490
Total Maintenance Costs	56,712.
City of Kingston's Share	14,178.
Total City Share for Development and Maintenance	45,668.

Schedule "B" to Report No.64
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: Mayor and Members of Council

FROM: B.G. Cousens, City Treasurer &
Deputy Chief Administrative Officer

DATE: July 17, 1980

RE: Transit Department Budget

City Council, at their meeting on March 17th, approved a budget of one million dollars for the Transit operating deficit, less any increase in Busit programs.

The Public Utilities Commission subsequently received the Busit approval and the following budget transfer should be approved in order to restore these funds to Finance Contingencies.

	Increase	Decrease
Transit Operating Deficit		$89,870.
Contingencies	$89,870.	

In order to provide additional funds for the purchase of a 53 passenger bus as requested by the Public Utilities Commission in the attached letter, it will be necessary to approve the following budget transfer.

	Increase	Decrease
Transit Capital Exp.	$4,569.	
Transit Subsidy	$3,427.	
Finance Contingencies		$1,142.

BGC/jt
Encl.

Schedule "B" to Report No. 64
(Page 2)

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

EE, P.ENG., GENERAL MANAGER
IE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1980 07 15

Mr. M. C. Healy
City Clerk
Corporation of the City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Healy:

Re: Transit Capital Asset Assistance Program 1980

The Capital Expenditure Estimates for the Transit Department for 1980 which was approved included the estimated cost of 1 x 53 Passenger Bus at $106,000. This was submitted and approved by the Ministry for Capital Asset Assistance.

Tenders were called and the only bid received was for $110,569. an increase of $4569. The tender has been submitted to the Ministry for approval of the increase in total subsidy by $3427.

The City's additional cost for this vehicle will be $1142. and City approval of this increase in the total Capital Budget is requested as soon as possible so that the order can be placed with the suppliers when Ministry approval is received.

Yours faithfully,

A. Bowie
Secretary Treasurer

AB:jm

City of Kingston
RECEIVED
JUL 15 1980
DEPARTMENT OF
THE CITY CLERK

Schedule "C" to Report No.64
(Page 1)

Office of the
City Solicitor
Our Ref: L-18

CITY OF KINGSTON
JUL 17 1980
OFFICE OF
CITY TREASURER

MEMORANDUM

TO: B.G. Cousens
Deputy Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: July 15, 1980

RE: County Court Action - Borenko vs. The City of Kingston

A problem arose in 1971 concerning a property at the northwest corner of First Avenue and County Lot 267, Plan 137 in the City of Kingston. A dispute arose between the owner of the property, Michael Borenko, and the City of Kingston concerning the existence of a fence erected by Borenko on what was reputed to be a public lane. The City commissioned a survey by Mr. Campbell which showed the fence was in fact located approximately 5' within the lane. The Borenkos commissioned a survey by Smith and Smith which showed that the fence was approximately on the boundary. The City ordered the fence removed and, in fact, removed the fence. A Writ and Statement of Claim were issued in the County Court. A Statement of Defence was not entered by the City at the time because it was thought that the City should pursue an application pursuant to the Boundaries Act.

When this matter was turned over to me I conferred with Mr. McKibbon who confirmed that rather than pursue further expensive proceedings we should obtain the opinion of a third surveyor. This was done. Mr. Burgham, O.L.S. prepared a Sketch Survey Plan which agreed with the Borenko's surveyor showing that the fence was very close to the boundary, and at the most only several inches on the said lane. In conferring with the solicitor for the plaintiffs he has now agreed to settle the action as follows. The fence could have been repaired in 1972 for the price of $210.00 according to an estimate produced. The Plaintiffs as well were required to engage a surveyor at a cost of $260.00. The legal costs incurred to date have been reasonably set at the sum of $250.00.

It is therefore recommended that due to the most recent survey which has confirmed that the fence was in fact on the boundary of the properties or only several inches on the said lane at most, that the Borenkos be paid the above-noted sums, being $210.00 for repair of the fence, $260.00 for the cost of their survey and $250.00 for legal costs.

It would appear that due to the surveying error, if this matter proceeded further in court there could be more extensive damages awarded against the City.

NCJ/nr

Norman C. Jackson
City Solicitor

c.c. Doug Graham
Public Works

Schedule "D" to Report No.64
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 21, 1980

Subject Construction of a concrete sidewalk (1.5 m wide) on Napier St., west side, from Scott St to Dunlop St.

Origin Public Works Department

Analysis Sufficiently signed petitions have been received for a pavement and for curb, gutter and boulevard on the east side. On the west side the only gap in the sidewalk is this section. Mr. Linseman has recommended that this be a school sidewalk. There are two owners. One owner has signed. It is necessary that both sign. The second owner lives in Ottawa. He has been contacted and appears not to object to the work but has not signed and returned the petition.

There is wheel chair traffic to Churchill Park from Ongwanada Hospital. It would be desirable to be able to construct the walk in conjunction with the paving of the road. It is possible that the remaining owner will not object under Section 8 of the Local Improvement Act.

Existing Policy When a sidewalk is constructed in a residential area for the first time, it is done under the Local Improvement Act.

Financial The Local Improvement walk schedule includes a walk on the east side of Montreal St from 55 m north of Raglan northerly 31 m. The only owner has refused to sign a petition. The outcome of an O.M.B. hearing is doubtful at this time. It is suggested that rather than proceed under Section 8 with the Montreal St walk, we use the $2200.00 provided for it towards the Napier walk where we could present a sound case to the O.M.B. and transfer $1300.00 from a small surplus ($2040.00) left in General Rate Walks to provide the necessary $3500.00.

Recommendation That since sufficiently signed petitions have been received to pave Napier St from Scott to Park St with curb, gutter and boulevard on the east side but not for a sidewalk on part of the west side and since a sidewalk exists from Park St to Dunlop St., it is desirable that this walk be constructed in conjunction with the pavement to provide for pedestrian traffic and act as a curb for the pavement, a by-law be passed to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St from Scott St to Dunlop St under Section 8 of the Local Improvement Act -

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

Schedule "D" to Report No. 64
(Page 2)

Memo to Mr. R.J.Hamilton - 2 July 21, 1980

Recommendation cont'd

And that the following transfer in the 1980 Capital Budget be approved -

Project	Increase	Decrease
Local Improvement Sidewalks	$1300.	
General Rate Sidewalks		$1300

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "E" to Report No.64
(Page 1)

mo to Mr. R.J.Hamilton, Chief Administrative Officer

te July 18, 1980

bject Reconstruction of sidewalk in -

(1) Brock St n/s from King to Wellington St
(2) Princess St n/s from Tower St westerly 27.4 m

igin Public Works Department

alysis Sufficiently signed petitions for the above listed works have been received. These walks are in bad condition and were included in the schedule approved by Council earlier this year. Tree planting is included in the work on Brock St.

isting
licy Sidewalk reconstruction in commercial areas is carried out under the Local Improvement Act.

nancial Adequate debenture funds are available in the 1980 Capital Budget.

commend-
ion That, since sufficiently signed petitions have been received, a by-law be passed to authorize the reconstruction of the concrete sidewalk in -

(1) Brock St (3.1 m wide) n/s from King to Wellington St

(2) Princess St (2.04 m wide) n/s from Tower St to westerly 27.4 m

under Section 7 of the Local Improvement Act.

Allocation of costs are as follows -

Project	Total Cost	Owners' Share	City's Share	MTC Subsidy	Debenture Amount
(1) Brock St	$14,200.	$6,207.27	$7,269.73	$723.	$13,477.
(2) Princess St	2,600.	654.75	1,738.25	207.	2,393.

/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "F" to Report No.64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of curb, gutter and boulevard in Napier St., east side, from Scott St to Park St.
Origin	Public Works Department.
Analysis	Curb and gutter is needed in conjunction with a pavement to solve flooding problems being experienced on the east side. A fully signed petition for the aforementioned work has been received.
Existing Policy	When a curb, gutter and boulevard are constructed in a residential area for the first time, it is carried out under the Local Improvement Act.
Financial	Adequate debenture funds are available in the 1980 Capital Budget.
Recommendation	That, since a fully signed petition has been received, a by-law be passed to authorize the construction of curb, gutter and boulevard in Napier St., east side, from Scott St to Park St under the provisions of Section 7 of the Local Improvement Act .

Costs are -

Total estimated cost	$2,531.00
Owners' share	1,067.62
City's share	732.38
M.T.C. subsidy anticipated	731.00
Debenture amount	1,800.00

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "G" to Report No. 64
(Page 1)

emo to	Mr. R.J.Hamilton, Chief Administrative Officer
ate	July 21, 1980
ubject	Construction of asphalt pavement (9.2 m wide) in Napier St from Scott St to Park St.
rigin	Public Works Department.
nalysis	The above described section of Napier St is surface treated macadam road in very poor condition and at a grade that causes some flooding problems. A sufficiently signed petition has been received.
xisting Policy	When a street is paved in a residential area for the first time, it is carried out under the Local Improvement Act.
inancial	Adequate debenture funds are available in the 1980 Capital Budget.
ecommendation	That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of the asphalt pavement (9.2 m wide) in Napier St from Scott St to Park St under Section 7 of the Local Improvement Act.

Costs are -

Total estimated cost	$26,680.00
Owners' share	4,113.43
M.T.C. anticipated subsidy	11,283.00
City's share	11,283.57
Debenture amount	15,397.00

/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "H" to Report No. 64
(Page 1)

O: R.J. Hamilton,
Chief Administrative Officer

ROM: B. G. Cousens,
City Treasurer

ATE: July 23, 1980

UBJECT: Refund or cancellation of taxes pursuant to Section 636(a) of the Municipal Act R.S.O. 1970, Chap. 284, file 20.2

RIGIN: Application by owner of property, or owner of business, in case of business tax.

NALYSIS: Section 636(a) of the Municipal Act gives City Council the authority to write off taxes for the following reasons:

Property has become exempt.
Building was razed by fire or demolished.
Overcharged due to error.
Liable for business tax, but has not carried on business for the entire year.

LTERNATIVE: If City Council does not grant the refund or cancellation of taxes, the applicant is entitled to a hearing by City Council, and if not satisfied, may appeal to the Assessment Review Court, County Judge and Ontario Municipal Board.

INANCIAL ONSIDERATION: On these write-offs, that portion of the tax that is applicable to the school boards, is charged back to the school board. Provision for these refunds or cancellations has been made in the budget. Those businesses who have discontinued, and relocated in another area of the city are assessed by the Regional Assessment Office and are processed through the Tax Department and billed for taxes at the new location. Also any business that moves into an existing or new location are also taxed for that part of the year that they are liable for the tax. All applications for refund or cancellation of taxes are referred to the Regional Assessment Office for approval and follow-up prior to being presented to Council.

ECOMMENDATION: That pursuant to Section 636(a) of the Municipal Act R.S.O. 1970, Chap. 284, the applications of persons and firms listed in the attached Schedule "1" in the amount of $54,276.54 for cancellation, reduction, or refund of taxes be approved.

SCHEDULE "H" to Report No. 64
(Page 2)

ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPARATE SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARATE
010 030 05000 0000 000C	Homestead Lndholdings	14 Ontario	Demolition	R	12	138.58	14.58	56.15	75.11			18.82	303.24			
010 030 05000 0000 000C	Homestead Lndholdings	14 Ontario	Demolition	R	12	212.58	22.37	86.14		101.41			422.50			
010 050 06200 0000 000F	Queen's University	186 Barrie	Exempt	R	12	313.95	33.04	127.21	170.17						644.37	
010 070 10400 0000 000D	Bd. of Education	Earl	Exempt	R	12	109.43	11.51	44.34	59.31			5.62	230.21			
010 120 02300 0010 001F	Empire Life	80 Johnson	Moved	B	11	547.00		221.67	296.49			24.42	1089.58			
010 120 02300 0020 001L	B. Smith	80 Johnson	Red.Space	B	12	136.13		55.16	73.78			6.62	271.69			
010 120 02300 0030 001C	Zagrodney Engineering	80 Johnson	Moved	B	10	76.94		31.18	41.70			3.10	152.92			
010 120 02300 0060 001D	Empire Life	80 Johnson	Moved	B	11	49.33		19.99	26.73			2.20	98.25			
010 120 07700 0000 000D	361028 Ontario Ltd.	171-191 Ont.	Assd.Twice	R	12	1214.08	127.77	491.97	658.07			62.30	2554.19			
010 020 00800 0000 000H	James Olsen	50 Earl	Demolition	R	12	2.69	.28	1.09		1.28						5.34
010 060 03600 0000 000A	Queen's University	96 Queen's Cr.	Exempt	R	12	814.92	85.76	330.22	441.71						1672.61	
010 080 04200 0000 000E	Queen's University	164 University	Exempt	R	12	759.75	79.95	307.86	411.81						1559.37	
010 110 01600 0030 001F	S.E. Simonsen & Assoc	240 Brock	Moved	B	12	192.59		78.04	104.39		25.96	10.02	411.00			
010 120 08300 0010 001L	E. Swain	190 Ontario	Moved	B	12	239.55		97.07	129.84			11.66	478.12			
010 120 08900 0020 001B	Peter Cartile	273 King E.	Moved	B	12	48.54		19.67		23.15		2.28		93.64		
010 130 00400 0032 001M	Jesse Dutton	159 Wellington	Moved	B	7	25.85		10.47	14.01		5.88	.84	57.05			
010 130 00400 0040 001E	Katherine Manley	159 Wellington	Closed	B	11½	77.36		31.35	41.92		17.36	4.10	172.09			
010 130 00400 0160 001E	Richardson Securities	90 Brock	Moved	B	8	145.25		58.86	78.71		19.52				302.34	
010 130 05700 0010 001E	John Brebner	33 Brock	Closed	B	12	191.53		77.61	103.81		25.78	9.96	408.69			
010 130 06700 0070 001D	Eric's Dept. Store	42 Princess	Closed	B	11	386.43		156.60	209.45		86.68	19.25	858.41			
010 130 09900 0020 001D	Gilles Simard	82 Princess	Closed	B	12	406.81		164.85	220.50		91.38	22.08	905.62			
010 130 10100 0010 001F	John Berry	72 Princess	Closed	B	10	71.67		29.04	38.84		16.10	3.90	159.55			
010 140 00700 0000 000B	C.I.B.C.	147 Brock	Fire	C-R	12	127.90		51.79	69.32						249.01	
010 140 00700 0020 001G	Dr. G. Dippel	147A Brock	Fire	B	12	160.40		64.99	86.94		21.62				333.95	
010 140 0070 0030 001M	Mike Markellos	147 Brock	Fire	B	3	13.58		5.50	7.36		3.06				29.50	
010 140 00700 0010 001C	Hoagie House	147 Brock	Fire	B	3	26.11		10.58	14.15		5.88	.04			56.76	
010 140 02600 0050 001D	Anaesthesia Service	10 Montreal	Moved	B	9	69.64		28.22	37.75		9.36	3.60	148.57			
010 140 06200 0060 001D	Frank MacNamara	288 Princess	Moved	B	10	60.67		24.58	32.88		13.60	1.40	133.13			
010 140 06800 0010 001E	Flat Top Junction	274 Princess	Moved	B	7	63.39		25.69	34.36		14.28				137.72	
020 030 00800 0080 001M	McNeely Engineering	844 Princess	Closed	B	9	104.06		42.17	56.41			3.78	206.42			
020 030 00800 0091 001K	McNeely Engineering	844 Princess	Closed	B	9	77.16		31.27	41.82			2.79	153.04			
020 030 00800 0050 001L	Lloyd's Barber Shop	844 Princess	Closed	B	10	34.29		13.89	18.58			1.40	68.16			
020 030 00900 0000 000B	Theo Psihogios	842 Princess	Fire	C-R	12	155.37		62.91	84.21			51.38	353.87			
020 030 00900 0010 001C	Peter Liappas	842 Princess	Fire	B	12	254.85		103.27	138.13			12.40	508.65			
020 030 01300 0070 001C	Dr. Macklin	221 King E.	Moved	B	7½	170.15		68.80	92.20			5.18	336.33			
020 030 01300 0071 001H	Imperial Optical	800 Princess	Closed	B	12	243.77		98.78	132.13			11.86	486.54			
020 030 01300 0160 001B	Dr. Scott	800 Princess	Closed	B	12	301.28		122.08	163.30			14.66	601.32			
020 030 01300 0270 001K	Londry's Drugs Ltd.	800 Princess	Red.Space	B	12	147.21		59.65	79.79			7.16	293.81			
020 030 01400 0010 001L	Lloyd Wilson/CYWorld	772 Princess	Fire	B	2	167.97		68.08	90.96						327.01	
020 050 11300 0020 001M	Herman Overvelde	630 Princess	Closed	B	12	259.60		105.19		123.84		12.22		500.85		

Schedule "H" to Report No. 64
(Page 3)

ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPARATE SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARATE
020 060 05800 0020 001K	Victory Motors	598 Princess	Moved	B	12	294.42		119.30	159.58			14.34	587.64			
020 130 07300 0100 001H	B. Ryce	346 Princess	Db.Billing	B	12	213.15		84.78	98.37		51.49	11.06	458.85			
020 080 07000 0010 001C	Carman&Barry Robinson	501 Johnson	Closed	B	12	64.90		26.29	35.17			3.16	129.52			
020 130 07300 0081 001K	Earl Courtney	346 Princess	Closed	B	12	52.76		21.38	28.60		7.10	2.74	112.58			
020 140 03200 0080 001A	Alliance Communic.	424 Princess	Moved	B	8	40.09		16.24	21.72		8.96	2.16	89.17			
020 140 04500 0010 001M	Dr. Bechard	74 Johnson	Moved	B	8	94.95		38.48	51.46						184.89	
020 030 01300 0170 001F	J. Fowler	800 Princess	Moved	B	12	281.76		114.17	152.72			13.72	562.37			
030 010 01500 0030 001H	Vanderlinden Real Est.	24 Chatham	Moved	B	12	69.12		28.00	37.46			3.36	137.94			
030 030 08100 0050 001B	London Life	449 Princess	Moved	B	11	1186.39		480.77	643.05			52.91	2363.12			
030 030 10500 0010 001K	C. Lanzo	503 Princess	Fire	B	12	251.68		101.98		120.07		11.84		485.57		
030 040 00600 0000 000D	S. Springer & Sons	421 Princess	Vacated	C-R	9	177.93		72.10	96.53						346.56	
030 040 00600 0010 001E	421 Food Services	421 Princess	Closed	B	12	474.35		192.21	257.11		106.47	25.76	1055.90			
030 040 01200 0070 001A	L. Hoferer	322 Queen	Moved	B	12	44.32		17.96	24.02		10.05	2.40	98.75			
030 040 03000 0020 001A	Joe Cyril	332 Barrie	Closed	B	11	88.50		35.86	47.97		19.91	4.84	197.08			
030 040 03900 0010 001A	Kingston Furniture	353 Princess	Closed	B	8	236.34		95.77	128.08		53.04	8.56	521.79			
030 050 07900 0011 001L	K. Lamb	293 Division	Moved	B	12	35.35		14.32	19.16			1.72	70.55			
030 080 04600 0010 001B	Frank Bracciodieta & Tony Alfano	184 Sydenham	Closed	B	9	125.83		50.99	68.21		28.26	5.13	278.42			
030 080 08500 0010 001C	Wyn Plaunt	227 Princess	Moved	B	9	149.97		60.77	81.30		33.71	3.14	333.89			
030 080 08600 0030 001K	Della Mason	231 Princess	Closed	B	12	105.00		42.54	56.91		23.65	5.70	233.80			
030 080 09900 0000 000B	Sedmar Co. Ltd.	316 Bagot	Vacated	C-R	8	160.94		65.13	87.10						313.17	
030 080 09900 0011 001H	Philip Routley	316 Bagot	Moved	B	8	321.80		130.41	174.39		72.24	5.92	704.76			
030 080 09900 0150 001M	Insurance Advisory Org	310 Bagot	Closed	B	8½	36.24		14.68	19.64		8.16				78.72	
030 080 11500 0010 001K	McNeil's Fabrics	350+39 Montreal	Closed	B	12	395.20		160.14	214.21		88.75	21.46	879.76			
030 090 00100 0120 001C	Village Pine Interiors	303 Bagot	Closed	B	12	409.98		166.13		195.58	91.98	21.60		885.28		
030 090 00100 0270 001D	Touch, Ross, & Co.	303 Bagot	Closed	B	9	369.18		149.61	200.12		49.68	14.40	782.99			
030 090 00100 0280 001H	Minto Construction	303 Bagot	Closed	B	12	466.44		189.01	252.82		62.82	24.28	995.37			
030 090 00100 0360 001C	Mutual of Omaha	133 Princess	Closed	B	10	373.74		151.44	202.55		33.60	8.05	769.38			
030 090 03000 0010 001M	Frans Vanderhorst	197 Wellington	Closed	B	12	39.04		15.82		18.62		2.06		75.54		
030 090 03000 0040 001A	Tectronics Ltd.	201 Wellington	Moved	B	11	40.62		16.46		19.38						76.46
030 090 05300 0000 000K	Estate-Samuel Springer	91 Princess	Vacated	C-R	9	96.85		39.24	52.55						188.64	
030 090 05300 0130 001L	L & G Restaurant	91 Princess	Closed	B	9	193.49		78.73	104.89		43.47	10.53	431.11			
030 090 07100 0045 001A	Sands,Pattenden,Gay,Kemp	275 Ontario	Moved	B	12	114.50		46.39	62.06		15.41	5.96	244.32			
030 100 03300 0000 000G	Taylor Chev-Olds	325-329 Bagot	Demolition	C	10	359.67	32.18	145.74	194.92		186.40				918.91	
030 100 03300 0040 001K	Taylor Chev(Host Rental)	106 Barrack	Closed	B	10	92.77		37.59	50.28						180.64	
030 100 05100 0020 001L	A. Donaldson	73 Queen	Closed	B	12	48.01		19.45	26.02		6.46	2.50	102.44			
030 100 09800 0020 001F	K. Traynor	10 Ordnance	Closed	B	7	52.31		21.20		24.96		2.45		100.92		
030 140 10500 0000 000F	F. Grant	421 Barrie	Demolition	R	12	2.69	.28	1.09	1.45						5.51	
040 010 04200 0050 001D	H. Kane	785 Montreal	Closed	B	12	15.30		6.20	8.29						29.79	
040 010 06500 0000 000H	Elder's Bev.	671 Montreal	Demolition	C	12	236.38	21.14	95.78		112.77		102.90		568.97		
040 010 06500 0010 001K	Elder's Bev.	671 Montreal	Demoliton	B	12	70.70		28.65		33.73		26.90		159.98		

Schedule "H" to Report No. 64
(Page 4)

Page 3

ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECON. SCHOOL	PUBLIC SCHOOL	SEPRT. SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPAR
040 010 06500 0020 001B	Elder's Bev. Ltd.	671 Montreal	Demolition	B	12	35.35		14.32		16.86		3.05		69.58		
040 010 18700 0090 001E	A. Cruji	445 Montreal	Closed	B	12	320.81		129.99	173.88			15.62	640.30			
040 010 19100 0010 001D	P. Ladouceur	545 Montreal	Closed	B	12	142.46		57.73		67.96		6.70		274.85		
040 050 04100 0010 001L	Kingston Furniture	10 Chestnut	Closed	B	8	23.21		9.40	12.57			.76	45.94			
040 050 04800 0020 001M	Kingston Furniture	221 Raglan	Closed	B	12	37.46		15.18	20.30			1.82	74.76			
040 070 09400 0020 001C	John& Marina Redmond	314 Montreal	Closed	B	12	160.40		64.99	86.94			7.80	320.13			
040 100 10000 0010 001B	Wm. Robertson	144 Duff	Over Assd.	B	12	192.06		77.82	104.10			15.60	389.58			
040 100 11100 0010 001E	Eastern Generator	398 Patrick	Red.Space	B	7	88.63		35.91	48.03			6.23	178.80			
040 100 13500 0010 001B	N. Thomas	541 Division	Closed	B	10	311.30		126.14	168.71			12.63	618.78			
040 110 01000 0040 001F	R. Babcock	783 Division	Closed	B	12	48.54		19.67	26.31			2.36	96.88			
040 110 09400 0030 001C	Robert Martin	70 Hickson	Assd.Twice	B	12	307.23		122.20	141.79			49.98	621.20			
040 110 09400 0020 001L	S.G. Christmas Ltd.	70 Hickson	Closed	B	12	275.96		111.82	149.57			13.44	550.79			
040 110 09700 0010 001M	Shirley Richards	140 Hickson	Closed	B	12	146.68		59.44	79.50			7.14	292.76			
040 110 22100 0000 000B	Folsom Equipment	190 Hagerman	Fire	R	11½	434.09	45.70	175.84	235.27						890.90	
040 120 14100 0000 000E	R. Hawkins	127 Butler	Demolition	R	12	252.05	26.52	102.13	136.62						517.32	
050 020 07100 0030 001G	J. Yannakouras	561 Princess	Closed	B	12	145.10		58.79	78.65			7.06	289.60			
050 040 09800 0000 000L	Shell Canada	677 Princess	Vacated	C-R	1	25.97		10.52	13.96						50.45	
050 040 09800 0010 001M	J. Garrah	677 Princess	Moved	B	11½	596.66		241.78	323.37			27.83	1189.64			
050 050 07300 0140 001C	J. Wilson	837 Princess	Moved	B	10	141.14		57.19	76.49			6.90	281.72			
050 050 07400 0031 001L	Arm-Dare Homes	847 Princess	Moved	B	9	35.61		14.43	19.30			.65	69.99			
050 050 07500 0030 001C	Advanced Carpet	861 Princess	Moved	B	12	218.44		88.51	118.40			10.64	435.99			
050 050 07500 0060 001D	Bayview Automotive	298 Concession	Closed	B	12	142.99		57.94	77.50			6.28	284.71			
050 060 01200 0040 001C	World Funding	1085 Princess	Closed	B	12	130.32		52.81	70.64			6.34	260.11			
050 060 02100 0040 001C	Patterson Car Sales	311 Concession	Closed	B	12	80.73		32.71		38.51		3.80		155.75		
050 060 12700 0000 000F	Stan&Jean Kamarnisky	581 MacDonnell	Demolition	R	12	89.25	9.39	36.16	48.37						183.17	
050 140 01600 0020 001C	Theo Marcelissen	41 Brant	Closed	B	12	55.93		22.66		26.68		2.64		107.91		
050 140 20602 0010 001G	Kingston Humane Soc.	231 Dalton	Exempt(Pt)	B	12	276.48						6.92	283.40			
060 020 10400 0020 001E	Kingston Refreigeration	130 Florence	Closed	B	12	27.96		11.33	15.15			1.36	55.80			
060 020 18300 0090 001M	Gazebo Furniture	1412 Princess	Moved	B	10	172.36		69.84	93.41			8.40	344.01			
060 020 18300 0091 001E	Gazebo Furniture	1412 Princess	Moved	B	10	18.46		7.48	10.00			.90	36.84			
060 040 02000 0010 001F	Chrysler Canada	1429 Princess	Closed	B	12	3346.35		1356.01	1813.81			162.90	6679.07			
060 060 07100 0061 001B	Lucerna Beauty Salon	1379 Princess	Moved	B	12	32.71		13.25	17.73			1.60	65.29			
060 102 00900 0032 001H	Ray Keeler	Shopping Centre	Closed	B	10½	69.15		27.87	37.27			2.94	137.23			
060 102 00900 0033 001B	Ray Keeler	Shopping Centre	Closed	B	10½	9.28		3.74	5.00			.36	18.38			
060 102 00900 0034 001G	Noonday Graphics	Shopping Centre	Closed	B	11½	121.86		49.38	66.04			5.98	243.26			
060 102 00900 0035 001A	Noonday Graphics	Shopping Centre	Closed	B	11½	14.15		5.73	7.67			.69	28.24			
060 102 00900 0050 001F	Caplan's Gifts	Shopping Centre	Closed	B	8½	31.01		12.56	16.81			.54	60.92			
060 102 00900 0051 001M	Caplan's Gifts	Shopping Centre	Closed	B	8½	7.47		3.03	4.05			.18	14.73			
060 102 00900 0100 001M	Singer Co.of Canada	Shopping Centre	Closed	B	10	410.24		166.23	222.33			20.00	818.80			
060 102 00900 0101 001E	Singer Co. of Canada	Shopping Centre	Closed	B	10	33.85		13.71	18.34			1.70	67.60			

Schedule "H" to Report No. 64
(Page 5)

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ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPT. SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARAT
060 102 00900 0541 001M	Caplan's Gifts	Shopping Centr	Closed	B	8½	26.90		10.90	14.58			.46	52.84			
060 102 00900 0540 001F	Caplan's Gifts	Shopping Centr	Closed	B	8½	196.56		79.63	106.54			3.40	386.13			
060 102 00900 0550 001L	Darbyson Grant	Shopping Centr	Closed	B	8½	70.25		28.46	38.07			3.40	140.18			
060 102 00900 0551 001D	Darbyson Grant	Shopping Centr	Closed	B	8½	9.34		3.78	5.06			.44	18.62			
060 120 00200 0110 001E	Associates Finance	16 Bath	Closed	B	9½	322.04		130.45	174.55			11.78	638.82			
060 120 00200 0111 001L	Associates Finance	16 Bath	Closed	B	9½	15.45		6.26	8.37			.57	30.65			
070 050 11500 0020 001F	Margaret Hendry	294 Union	Closed	B	9	7.91		3.21	4.29			.36	15.77			
070 090 12900 0010 001M	Doug Rickaby	753 King W.	Moved	B	11	211.35		85.64	114.55			9.25	420.79			
070 110 10600 0000 000H	O. Prevost	Johnson	Parcel does not exist	R	12	27.80	2.92	11.26	15.07			1.42	58.47			
070 150 23486 0000 000F	Joe&Emmy Dieplinger	20 Richfield	Asst.Red.	R	12	74.00	7.78	29.98	40.11			3.80	155.67			
070 200 17600 0030 001F	Mr. D. Devonshire	546 Bath	Closed	B	10	40.45		16.39	21.92			.85	79.61			
070 200 17600 0031 001M	Mr. D. Devonshire	546 Bath	Closed	B	10	8.79		3.56	4.77			.22	17.34			
						26501.56	521.17	10622.54	13121.11	924.80	1358.07	1227.28	41514.59	3478.84	9201.31	81.

Schedule "I" to Report No.64
(Page 1)

MAY 28 1980

Alexander V. Crate Consultants

250 Consumers Road
Suite 1100
Willowdale, Ontario M2J 4V6
Tel. (416) 494-3254

May 20, 1980

The City of Kingston
City Hall
Kingston, Ontario

Attention: Mr. R. Hamilton
Chief Administrative Officer

Dear Mr. Hamilton,

On February 21st last I was pleased to visit the City and to meet with Mr. Muirhead and yourself to assist you in an appreciation of certain aspects of achieving a downtown revitalization project.

Following that meeting the City kindly contacted me to enquire whether I would be interested in submitting a proposal along with other consultants to act for the City in the several matters related to a revitalization proposal which you had received. I declined on the basis that I have not to date found it necessary to enter into such competition and would prefer not to do so.

At your request, as well as that of the Mayor and others, I returned to Kingston on April 2nd and was consulted on a wide range of matters relative to the Province's Downtown Revitalization Program, the proposal which the City had received from Chartwood Developments Limited and Eaton's and generally my experience and recommended procedures in implementing a substantial downtown project.

Being of the opinion that it is perhaps not unreasonable to submit an account for my second visit only to the City and for professional services rendered, I enclose herewith an invoice. I have charged only my normal daily rate and not for disbursements of train, taxis and lunch.

Although I offered to be of limited service to the City inasmuch as its examination and negotiations were concerned, I subsequently learned that another consultant had been engaged and accordingly I had no opportunity to recover even a portion of my expenses. I would like to be quick to say, however, that if the City feels otherwise, I will certainly understand and have no objection. But as you know two visits were paid to the City at the City's request and I certainly did volunteer that the first visit would be of no cost or obligation.

Yours sincerely,

A. V. Crate

AVC/gs
Encl.

Schedule "I" to Report No.64
(Page 2)

Alexander V. Crate Consultants

250 Consumers Road
Suite 1100
Willowdale, Ontario M2J 4V6
Tel. (416) 494-3254

May 20, 1980

The City of Kingston
City Hall
Kingston, Ontario

Attention: Mr. R. Hamilton
Chief Administrative Officer

INVOICE

For Professional Consulting Services provided to the City of Kingston on April 2, 1980 relative to Downtown Revitalization	$600.00

Schedule "J" to Report No. 64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 23rd, 1980

SUBJECT: Contract 80-8W
Construction of Sanitary Sewers and Services in Counter Street and Easement (would serve KIMCO and Alcan Industrial land).

ORIGIN: Public Works Department

ANALYSIS: Eight tenders were received as summarized below:

Gordon Barr Limited	$57,935.00
Hugh-Mac Construction Limited	$59,876.00
Hemlock Construction Limited	$62,155.63
Taggart Construction Limited	$74,747.00
Donald A. Foley Limited	$77,796.00
Amherst Construction Limited	$79,645.50
Korsan Contractors Limited	$87,360.00
Hugh M. Grant Limited	$88,000.00

Gordon Barr Limited, the lowest tenderer, is a long established firm in Kingston and has carried out a substantial amount of sewer installation within the City.

EXISTING POLICY: The lowest tender is normally accepted unless there is justification for doing otherwise.

FINANCIAL: These works are fully approved and were part of the 1979 Capital Budget.

RECOMMENDATION: That the tender of Gordon Barr Limited in the amount of $57,935.00 to construct sanitary sewers and service in Counter Street and easement be accepted being the lowest tender received.

D. Graham, P. Eng.
Commissioner of Works

JMC:JC

Schedule "K" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 23rd, 1980

SUBJECT Reconstruct concrete sidewalk (1.83 m.) in Ontario Street, east side from 40.23 m. south of Barrack Street southerly 20.24 m.

ORIGIN Public Works Department.

ANALYSIS The above section of sidewalk is in very poor condition and is located immediately south of the Wolfe Island Ferry dock. Pedestrian traffic is considerable.

The only owner, Shell Canada Limited, refused to sign the petition.

EXISTING POLICY Reconstruction of sidewalks in commercial areas are carried out under the provisions of the Local Improvement Act.

FINANCIAL Adequate funds are available in 1980 Capital Budget.

RECOMMENDATION That, since the condition of the sidewalk is hazardous and pedestrian traffic is considerable, a by-law be passed to authorize the reconstruction of the concrete sidewalk (1.83 m. wide) in Ontario Street, east side from 40.23 m. south of Barrack Street southerly 20.24 m. under the provisions of section 8 of the Local Improvement Act.

Costs are:

Total estimated cost	$1,750.00
Owner's share	$ 875.00
City's share	$ 875.00
Debenture amount	$1,750.00

D. Graham, P. Eng.
Commissioner of Works

PL:JC

Schedule "L" to Report No. 64
(Page 1)

mo to	Mr. R.J.Hamilton, Chief Administrative Officer
te	July 21, 1980
bject	Reconstruct concrete sidewalk (2.0 m wide) in Princess St n/s from Victoria St easterly 57.60 m.
igin	Public Works Department
alysis	The above described sidewalk is now in very poor condition. The grade is uneven with ponding in several spots. This is hazardous especially in cold weather. The only two owners, however, both are reluctant to sign the petition.
isting Policy	When a sidewalk in a commercial area requires reconstruction, it is carried out under the Local Improvement Act.
nancial	Adequate funds are available in the 1980 Capital Budget.
commendation	That, since the condition of the sidewalk is hazardous and Princess St is a main business street, a by-law be passed to authorize the reconstruction of the concrete sidewalk (2.0 m wide) in Princess St., n/s from Victoria St easterly 57.60 m under the provisions of Section 8 of the Local Improvement Act.

Costs are -

Total estimated cost	$5,300.00
Owners' share	2,279.64
City's share	2,722.36
M.T.C. subsidy	298.00
Debenture amount	5,002.00

/gg

D. Graham, P.Eng
Commissioner of Works

Schedule "M" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: July 23, 1980

SUBJECT: TENDER 80-34 - CONCESSIONARY RIGHTS THROUGHOUT CERTAIN CITY PARKS & PROPERTY

ORIGIN: Department of Parks & Recreation

ANALYSIS: As per Council's approval and as per the conditions attached, the City called tenders for Mobile Food Service to areas of the City Parks Department and some other City properties that do not have such service, and from time to time would benefit from such a service (i.e. Sports Fields, Outdoor Rinks, Special Events, etc.). It is made clear that certain areas are off limits unless a direct request is made by the City or approved by the City.

FINANCIAL CONSIDERATIONS: While it was not the main purpose for the exercise, this will develop certain revenues for the Department's budget.

RECOMMENDATION: It is recommended that the summary and recommendation of the Purchasing Department (see attached), and all the conditions, be accepted.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg

file for opening date —

PARKS AND RECREATION
JUL 7 1980
REC'D.

NVITATION TO TENDER NO. 80-34

Kingston, Ontario.
July 2, 1980.

Gentlemen:

The Corporation of the City of Kingston invites stipulated sum proposals for consideration towards the entering of an agreement for the granting of certain concessionary rights for the Provision of Food and Beverage Services throughout certain City Parks and property and based more particularly on the terms, conditions, etc. as expressed or implied by the enclosed suggested contract agreement.

INSTRUCTIONS TO BIDDER:—

1. Closing Date For Receipt Of Tenders

This tender form shall be returned in a sealed envelope plainly marked as to content, and shall be addressed to the City Clerk, City Hall, 216 Ontario Street, ingston, Ontario. K7L 2Z3, and be dispatched to arrive not later than 12 o'clock noon (E.D.S.T.), Thursday, July 17, 1980.

2. No Tender Necessarily Accepted

In the reception of tenders, the Corporation incurs no obligation to accept he highest or any tender. The right to accept or reject any bid is reserved by the orporation. Each tender shall be subject to acceptance by the Corporation for a period ot less than 30 days, from the closing date for the receipt of tenders at the amount ubmitted therein.

3. Contract Form

The form of contract which it is proposed the unsuccessful bidder will enter nto with the Corporation shall be, in general, as per attached memorandum of agreement. he bidder may, however, submit with his tender, any variation to this for consideration.

TE:—

These "Instructions To Bidder", etc. are to be taken as forming an integral part of this tender.

The bidder should list below or by separate outline full details as to the extent of facilities, equipment and services which he proposes to provide.

INVITATION TO TENDER NO. 80-34

FFER

The undersigned submits for consideration the herein proposal and agrees to upply the services as outlined and offers the sum of $_______________ in consider-tion for the granting of Concessionary Rights as embraced within the term, and onditions, etc. as expressed or implied herein.

SIGNED ______________________________

PER ________________________________

TITLE ______________________________

All questions respecting the foregoing should be addressed to Mr. D. Fluhrer, Commissioner f Parks, City Hall, 216 Ontario Street, Kingston, Ontario, K7L 2Z3. Phone 546-4291, xtension 225).

No notation calculated or intended to change or alter any of the context herein nall be made to the form by the tenderer.

All points as may be intended to reflect changes shall be clearly set out in separate letter which shall be appended hereto.

THIS AGREEMENT made in duplicate the day of , A.D., 198 .

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter referred to as the "City")
OF THE FIRST PART

- and -

____

(hereinafter referred to as the "Concessionaire")
OF THE SECOND PART

WHEREAS the City has under its control or ownership, a number of parks and properties upon which baseball, softball, soccer and other related recreational activities, including outdoor rinks, and other special events, as requested and approved of by the City, excluding those locations shown on the attached Schedule "A" to this Agreement;

AND WHEREAS the City considers it to be appropriate to tender in order to have one company or organization providing food and beverage services under a general concessionary arrangement satisfactory to the City;

AND WHEREAS the Concessionaire has submitted a tender in the form attached hereto as Schedule "B", which has been accepted by the City, subject to the Concessionaire entering into an agreement containing the following conditions:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the sum of ______________________________ and in consideration of the following terms and conditions,

the Parties hereto covenant and agree as follows:

1. The City hereby awards to the Concessionaire the exclusive rights of providing food and beverage services for the sum of ____________________ now paid by the Concessionaire to the City, subject to the conditions hereinafter provided for.

2. This grant of concessionary rights shall be for the time period of July 15th, 1980 to June 30th, 1981.

3. The concessionary rights hereby granted to the Concessionaire, shall apply in respect of activities on city-owned properties excluding those listed in Schedule "A".

4. The Concessionaire shall satisfy the City that all health regulations and requirements under The Public Health Act and under local by-laws have been met.

5. The Concessionaire shall satisfy the City that all required licences from all levels of Government and all required fees have been paid.

6. The Concessionaire shall comply with all applicable safety regulations.

7. The Concessionaire shall operate the concession business on the City properties in an orderly manner, to the satisfaction of the City, and shall ensure that all locations where concessions are operated are left in a neat and tidy condition, to the satisfaction of the City.

8. In the event that any claim, action, or suit arises as a result of the operation of this concession, the Concessionaire hereby agrees to save harmless and indemnify the City from all such claims, actions or suits.

9. The Concessionaire shall provide the City with proof of Liability Insurance which is an amount to satisfactorily protect against liability claims arising in an amount required by the City, and the City shall be named as a party insured.

10. The Concessionaire agrees that no liquor is agreed to as part of this concession, and shall not be provided.

11. The City shall supply the Concessionaire with notice of special events a reasonable time in advance of the special event, and the Concessionaire shall provide concession facilities for such special event.

12. The City shall have the right to demand compliance with all terms and conditions of this agreement. Should the Concessionaire fail to comply with the terms of this agreement, he shall be given one week's notice in order to correct, failing which The Corporation of the City of Kingston may provide one week's notice to the Concessionaire of termination of this agreement.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals, attested by by the hands of their duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY OF KINGSTON
)
) Mayor
)
) City Clerk
)
)
)
) Per:
) Per:
)

SCHEDULE "A"

Lake Ontario Park

Portsmouth Olympic Harbour

Richardson Beach area (unless requested)

Municipal Golf Course (Cataraqui Park, Montreal Street)

Cook and Elmer Youth Centres (when City-operated canteens are open)

Centennial Park and Confederation Basin (unless requested)

Kingston Community Centre grounds (unless requested)

Garrigan Park (unless requested).

Schedule "M" to Report No.64
(Page 8)

CORPORATION OF THE
CITY OF KINGSTON
OF THE Director of Purchasing.
(613) 546-4291

PARKS AND RECREATION
JUL 21 1980
CITY HALL
REC'D.
ONTARIO

MEMORANDUM

TO: D. R. Fluhrer, Commissioner of Parks & Recreation

FROM: R. J. Plumley, Purchasing Dept.,

SUBJECT: Tender 80-34 - Concessionary Rights Throughout Certain City Property

DATE July 21, 1980.

Dear Mr. Fluhrer:

Two bids only, as set out hereunder, have been received in response to the subject tender.

NAME	OFFER
Donald Dennee	20% of gross
Garth Badgley	5% of gross

Copies of both tenders are attached, which provide an outline of the ervice and facilities each bidder proposes to supply.

I would recommend for consideration that the tender of Donald Dennee e accepted, offering the higher percentage of the two bids received and provided hat the City Solicitor could confirm that there are no rules, regulations, by-aws, or policies that would prohibit a city employee from being awarded this ender.

Yours very truly,

R J Plumley

R. J. Plumley,

JP/vn

c. B. Cousins,
R. J. Hamilton,
N. Jackson.

OTE: Number of Invitations Sent - Twelve
Dates of Advertising - July 9, 12 and 14, 1980
Date of Mailing - July 7, 1980
Date of Closing - July 17, 1980

ffice of the
ity Solicitor
ur Ref: L-16

PARKS AND RECREATION
JUL 23 1980
REC'D.

MEMORANDUM

0: Mr. D.R. Fluhrer
Commissioner of Parks and Recreation

ROM: Lois Payne
Legal Department

ATE: July 23, 1980

E: Tender 80-34 - Concessionary Rights Throughout certain City property

---

There is nothing in The Municipal Act which specifically rocludes the formation of secondary contracts between a municipality nd its employees, nor does The Municipal Conflict of Interest Act pply to such a situation. By-law No. 4 of The Corporation of the ity of Kingston which sets out conditions of employment also does ot specifically proclude the formation of such a contract.

Since Mr. Dennee is neither a council member nor an fficer of the Corporation there appears to be no legal policy which ould prohibit a contract between the City and a City employee such s Mr. Dennee provided that all the proper procedures for the ormation of such a contract are followed.

Lois Payne

?/nr

Lois Payne
Legal Department

Schedule "N" to Report No.64
(Page 1)

MEMORANDUM

TO: Mayor K. Keyes

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department

DATE: July 23, 1980

SUBJECT: WAIVER OF FEES - CITY PARK RECREATION CENTRE - SUNDAY, AUGUST 17/80 - 11:00 A.M. - 4:00 P.M.

ANALYSIS: See attached letters (a)- Mayor's, (b) - Mrs. Klodawsky's

FINANCIAL CONSIDERATIONS: For the time they require the facility, the cost implication of waiving the charge would be $20.00.

RECOMMENDATION: This request causes no problems, and will make an interesting day for the public. It is recommended charges be waived.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachments: 2

Schedule "N" to Report No.64
(Page 2)

July 15, 1980.

Ms. F. Klodawsky,
16 Dedrick Drive,
Kingston, Ont.

Dear Ms. Klodawsky:

I acknowledge receipt of your letter written on behalf of the Organizing Committee of the Kingston Women's Arts Festival, in which you request financial assistance of approximately $88.00 in order to cover printing costs and renting of the pavilion in City Park.

It is not the custom of the city to make grants towards organizations such as yours for such items as printing costs, although specific request for waiving the rental fee for the pavilion might well be considered favourably by the administrator and the council, due to the type of project that you are proposing However, rental fees are usually only waived for genuine non profit organizations and it would appear that in this case there is a commercial aspect to the festival, in that you are selling crafts a percentage of which will be donated towards the operation of running Interval House and the Rape Crisis Centre.

The city indeed supports these two institutions to a very large degree and therefore should not be expected to make additional contributions to their operation or to the operation of supporting organizations. In the current year financial assistance is being given to the Rape Crisis Centre in the amount of $1,000. and to Interval House in the amount of $35,000., I think you would agree that this is a substantial contribution of taxpayer dollars to these two worthwhile organizations.

Have you considered approaching a Kingston organization known as the Kingston Arts Council which while not accustomed to making grants to organizations, might well consider a small contribution?

Should you desire to have me send a request on to council for waiving the fee for the pavilion in City Park, I would be pleased to do so following discussions with Mr. D. Fluhrer, Parks and Recreation Commissioner.

Sincerely,

Ken Keyes
Mayor

KK:a

Schedule "N" to Report No.64
(Page 3)

June 25, 1980

To The Mayor and City Council:

I am writing this letter on behalf of the Organizing Committee of The Kingston Women's Arts Festival. We are an ad hoc committee of women who have initiated the planning of a one day women's arts (i.e. poetry reading, crafts, dancing, music, etc.) festival for Kingston, on August 17.

We have done so for two reasons, principally. Firstly, we thought that this festival would be an excellent way to establish links among women artists in the Kingston area. Secondly, we decided that it would also be a useful way to raise money for two Kingston institutions devoted to women's problems, namely, Interval House and The Rape Crisis Centre. This will be done by requesting that 20% of all profits on the sales of crafts and on charges for various entertainments, be given to them.

Since the City supports these two institutions, we are writing to request funds from the City as an aid to organizing the festival. Specifically, we would like the City to pay the printing costs and cost of renting the pavilion in City Park. The rental fee will be $20.00 ($4./hr X 5 hours), and the printing cost for 500 card stock posters on colour background is $68.00, at the cheapest quotation price. Such financial support would help the Committee greatly.

Thank you for your consideration of this request. I hope to hear from you very shortly.

Sincerely,

F. Klodawsky,
16 Dedrick Drive,
Kingston, Ontario.
613 - 544-3831

Schedule "O" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 24th, 1980

SUBJECT Tender 80-29 Hopper Type Aggregate Material Spreaders.

ORIGIN Public Works Department

ANALYSIS All our sanders are the type that apply the sand at the rear. Two of them were badly rusted and their replacement was included in the 1980 Current Budget.

It was proposed that one of the new sanders spread sand at the front to provide better service on the hills when glare ice conditions prevail.

Attached is a summary of tenders, a recommendation for consideration by Mr. Plumley of the Purchasing Department and comments by Mr. de Lugt, Deputy City Engineer. In addition to the material provided by the tenderers, the Larochelle machine was demonstrated. Considering the additional protection the Maglar tender provides to the vehicle and to the public as well as its satisfactory performance in wide areas of the Province with spare parts readily available, the acceptance of the slightly higher tender (1% higher) of Maglar is justified. We concur in the recommendation of the Director of Purchasing.

EXISTING POLICY Accept the lowest tender unless there is justification for doing otherwise.

FINANCIAL The net cost of accepting the recommendation from Purchasing is $12,154.13 which is $1,204.13 over the budget provision. There was a $280 saving on the sweeper. There are a number of vehicles to be purchased in the fall. Acceptance of the sander tenders should not be delayed and any adjustment required should be made in the vehicles bought later this year, when we see how their tenders relate to the budget appropriation.

RECOMMENDATION That the tender of Marmac Hydraulics for the supply of one Maglar ML8S Hopper Type Aggregate Material Spreader for dump body mounting and of Maglar Equipment Limited for one King-Seagrave K-61-1 Hopper Type Aggregate Material Speader for chassis mounting in the aggregate amount of $12,154.13, being the net aftertrade, be accepted on the basis that the former is the lowest tender and the latter provides additional protection as well as having an excellent reputation in the Province and that the cost be a charge against Equipment Replacement 314-81.

D. Graham, P. Eng.
Commissioner of Works

ttachment

DG:JC

JUL 23 1980

SUMMARY OF TENDER NO. 80-29
for
HOPPER TYPE AGGREGATE MATERIAL SPREADERS

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 12

DATE OF CALLING: June 17, 1980
DATE OF CLOSING: July 2, 1980
NO. OF TENDERS RECEIVED: 5

ITEM	QUANTITY	DESCRIPTION	(1) OTTAWA TRUCK BODIES	(2) MARMAC HYDRAULICS	(3) CRAIG CONST. EQUIPMENT	(4) MAGLAR EQUIP.LTD.	(5) DUKE LAWN EQUIP.LTD.
1	1	(New) Hopper Type Aggregate Material Spreader - dump body mounting.	$ 6,580.00 ($ 6,280.00)	$ 5,995.00 ($ 5,395.00)	NO	$ 6,107.00 ($ 5,607.00)	$ 7,050.00 ($ 7,050.00)
		MAKE	Industech	Maglar		Maglar	Dumco
		MODEL #	EPSB-800	ML8S		ML8S	750
2	1	(New) Hopper Type Aggregate Material Spreader - chassis mounting.	$ 7,456.00 ($ 7,156.00)	$ 7,995.00 ($ 7,395.00)	$ 6,400.00 ($ 5,900.00)	$ 6,464.00 ($ 5,964.00)	$ 7,200.00 ($ 7,200.00)
		MAKE	Industech	Maglar	Larochelle	King Seagrave	Dumco
		MODEL #	EPST-800	ML8C	DC-900	K-61-1	810
3	2	Less Trade Allowance For - 1971 Swenson Sanders	$ 600.00	$ 1,200.00	$ 500.00 One 1971 Swenson	$ 1,000.00	Included
		FEDERAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt
		PROVINCIAL SALES TAX	$ 940.52	$ 895.30	$ 413.00	$ 809.97	$ 997.50
		TOTAL DELIVERED PRICE	$14,376.52	$13,685.30	$ 6,313.00	$12,380.97	$15,247.50
			Note-Del. Sept.15-30/80		Incomplete		

NOTE: ( ) Figures in brackets indicate net price after trade, PST extra.

SUMMARY OF TENDER NO. 80-29

RECOMMENDATION

It is recommended for consideration that the bid be awarded, in part, as follows:

ITEM # 1 - To bidder # 2, Marmac Hydraulics, in the amount of $5,772.65 T.I.D. delivered, being the lowest bid received.

Recap Item # 1 - Marmac Hydraulics

One Maglar ML8S Spreader	$5,995.00
Trade-In Allowance	$ 600.00
Net Difference	$5,395.00
Provincial Sales Tax	$ 377.65
TOTAL T.I.P. DELIVERED	$5,772.65

ITEM # 2 - To bidder # 4, Maglar Equipment Limited, in the amount of $6,381.48 T.I.P. delivered, being the 2nd lowest bid received. (Please see attached memorandum from Gerald DeLugt, Deputy City Engineer).

Recap Item # 2 - Maglar Equipment Limited

One King Seagrave, K-61-1 Spreader	$6,464.00
Trade-In Allowance	$ 500.00
Net Difference	$5,964.00
Provincial Sales Tax	$ 417.48
TOTAL T.I.P. DELIVERED	$6,381.48

Respectfully submitted,

R. J. Plumley,
Purchasing Department.

RJP/vn
Encl.

3060/4

JUL 23 1980

o: R.Plumley, Purchasing

rom: G. de Lugt, Deputy City Engineer

ate: July 22, 1980

e: Aggregate Spreaders

Of the dump body mounted spreaders we support acceptance of he Maglar ML8S as offered by Marmac Hydraulics and by Maglar quipment Ltd.

Of the chassis mounted spreaders our preference goes to he second lowest bid submitted by Maglar,rather than to the arochelle offered by Craig Construction Equipment for the ollowing reasons:

1. It comes fitted with substantial overhangs to protect the cab and the rear of the vehicle - Larochelle does not have this.

2. Its standard equipment includes front and rear blue flashing lights - Larochelle's offer includes an optional rear mounted flasher only.

3. Its weight is given as 4300 lbs. against larochelle's 3500 lbs.

4. It is manufactured in Woodstock, Ontario, and is widely used throughout the Province with excellent reputation for service, spare parts availability etc. Larochelle is made in Quebec, also has a good name but is not nearly as widely used in Ontario.

5. The net price difference between the two offers is $64.00 plus provincial tax and the above enumerated advantages of the second lowest offer fully justify this rather marginal extra cost.

I herewith return the tender file.

G. de Lugt, P.Eng
Deputy City Engineer

gd/gg
Encl.
copy to D.Graham
Commissioner of Works

Schedule "P" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: July 24, 1980

SUBJECT: VANDALISM - NEWLANDS PAVILION

ORIGIN: Department of Parks & Recreation

ANALYSIS: On July 16, 1980, sometime during the early morning hours, this facility was maliciously vandalized. As well, our famous lion, which stands nearby, had a gallon of yellow paint poured over its entire shape and platform. Again, on July 23, 1980, we found further and extensive damage had been done (approximately 40 more broken railing spindles).

The two principal things done to the Pavilion were:

(i) Aluminum paint, applied by brush, to the columns, railings, floor and seats.

(ii) Approximately 85 hand-turned, wooden railing spindles were smashed out.

FINANCIAL CONSIDERATIONS: At present, and to the best of our ability to estimate repairs, it appears $3,500. to $4,000. will be required to put the Pavilion and lion back in order.

RECOMMENDATIONS:

1. Provide funds from Contingencies to cover the costs and get the job done immediately. I feel we must show good faith to all those people who donated their time and money to see this project through.

2. Urge, in strong terms, that the court authorities make those responsible for this act understand the seriousness of their deed.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Department

DRF/dg

Schedule "Q" to Report No.64
(Page 1)

MEMORANDUM

TO: Mayor K. Keyes

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department

DATE: July 23, 1980

SUBJECT: SCULPTURE - "FIRST SHIP" - ST. LAWRENCE COLLEGE

ANALYSIS: As per your instructions, I have met with Mr. Gaye Bullock, who has a piece of sculpture now located on the grounds of St. Lawrence College. Mr. Bullock must now move it and is looking for some suitable waterfront park in which to locate it.

Further, and as instructed, I have investigated the ways and means to move and base such a piece of work, and also I have discussed possible sites with Mr. Bullock. The structure is very sturdy and should withstand punishment.

FINANCIAL CONSIDERATIONS:

a. It is my understanding this is being offered to the City free of charge.

b. Mr. Bullock will assist the City in moving it (provide truck and crane), and design base.

c. Outside cost to the City should be approximately $700.00.

RECOMMENDATION:

1. If Council wishes to accept this gift, I offer the following possible sites for consideration, and in order of priority as I see them.
    - a. Belle Island Drive Park - midway between the island and Montreal St.
    - b. Orchard Street Park
    - c. Dry Dock
    - d. Lake Ontario Park.
2. I would warn St. Lawrence College this is done without prejudice, as they may go on producing many such works of this size, and we cannot go on accepting and housing all of them. This one has a water - ship theme which is appropriate in Kingston, and its lines are rather formal and pleasing.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.
DRF/dg

Schedule "R" to Report No.64
(Page 1)

to	Mr. R.J.Hamilton, Chief Administrative Officer
	July 24, 1980
ct	Account exceeding authorization.
n	Public Works Department
sis	A problem developed with the automatic transmission in truck #355. The Shop Foreman, as is often done to speed up the repair, made telephone enquiries as to when and how much. On the basis of a verbal estimate of about $600. to repair the transmission the truck was sent out. The repairs were made without further consultation. The parts removed for replacement were made available to the Foreman when the work was done. The cost of the new parts was $1135.18 and labour $270.00 for a total of $1405.18. The Foreman is satisfied that the parts supplied and installed were needed.
ing Policy	To obtain three written quotes, if possible, for work having an estimated cost of between $500. and $5,000.
cial	Funds for repair are accumulated by an hourly charge for use of equipment in an equipment account.
mendation	That payment of the account of Kingston Automatic Transmission Ltd be authorized in the amount of $1405.18 for repairs, it being noted that the Shop Foreman has been directed in writing to follow the procedure set out in By-law No. 1 for purchase of supplies.

D.Graham, P.Eng
Commissioner of Works

to Mr. R.J.Hamilton, Chief Administrative Officer

July 24, 1980

ect City Yard Improvements

in Public Works Department

ysis Improvements are proposed in four areas -

1. Dispensing of gasoline
2. Equipment repair shop
3. Stores
4. Lunch Room including Locker Room and Wash Room

Dispensing of Fuel for Equipment

The existing gasoline pump is located at the north west corner of the main yard building. The location is such that vehicles must approach it in single line or one side only. It is within 5 feet of the building and a potential fire hazard. There are occasional mechanical problems with the pump. The tank is not new. On occasions there is a line-up for gasoline. The proposal is to locate three new tanks and two double pumps on a pump island 60' south of the main building so that vehicles may approach and fill two to four at a time. One dual pump will be for gasoline and the other for diesel fuel. The estimated cost of this improvement is $20,000. It has the approval of the Fire Chief. A suggested change made by Local #109 has been incorporated.

Equipment Repair Shop

The present shop area is in the north/west corner of the Yard Building. It was fomerly vehicle storage. This is a very crowded area and ventilation is poor. Enlargement to the south is limited by the need for Lunch Room space. The only direction to expand to any extent is to the east into a vehicle storage area for equipment. This area does not have a good floor.

The proposal is for a small expansion to the south into part of the present Lunch Room and a major expansion to the east. The former is mainly the relocation of partitions. The latter includes a concrete floor plus lighting and ventilation improvements.

The estimated cost of this improvement is $10,000.

Stores

The present stores area is crowded and in a location that would make the most practical Lunch, Locker, and Washroom Area. In 1974 an addition was added along half of the east side of the yard building. The proposal is to complete this addition which would be 48' x 71' and involves only two walls, an east and a north wall. This will provide ample stores space plus storage for two vehicles.

The estimated cost of this improvement is $54,000.

............../2

Schedule "S" to Report No. 64
(Page 2)

nalysis (cont'd)

Lunch Room Including Locker Room and Wash Room

The present Lunch, Locker and Wash Room leaves much to be desired. Ventilation is poor. Lighting is inadequate. There are no windows to the outside. At times conditions are crowded.

The proposal is to move the Lunch Room to the present stores area to provide a bright, well ventilated, roomy lunch area. The Locker Room and Wash Room would occupy part of the present Lunch Room and Stores Area.

For the remaining funds available ($15,000.) redundant partitions could be removed, a new Wash Room constructed and in the Lunch Room floor repairs and remodelling of the west wall completed. Estimated cost $15,000.

The 1980 Capital Budget provides $99,000.

New Pump Island	$20,000.
Garage floor etc	10,000.
New Stores	54,000.
Partial remodelling- Lunch Room	15,000.
	$99,000.

Work to be Completed

1.	Complete the Lunch Room	$12,500.
2.	New furnishings for Lunch Room	4,000.
3.	Extend the Locker Room	2,000.
4.	Extend garage into old Lunch Room	4,000.
5.	External finishes of altered facades	1,500.
		$24,000.

inancial

The 1980 Capital Budget includes $99,000. for Yard Improvements and the work that could be done has been outlined. It is proposed to report to Council in October any means there may be to finance part or all of the remaining $24,000.

ecommendation

That a general rate construction By-law be passed to authorize improvements to the Public Works Yard in the areas of Lunch, Locker and Wash Rooms, Stores, Equipment Repair, and Dispensing of Fuel, as shown on Drawing C-50P and attached sketch, at an estimated cost of $99,000. provision for this expenditure having been made in the 1980 Capital Budget.

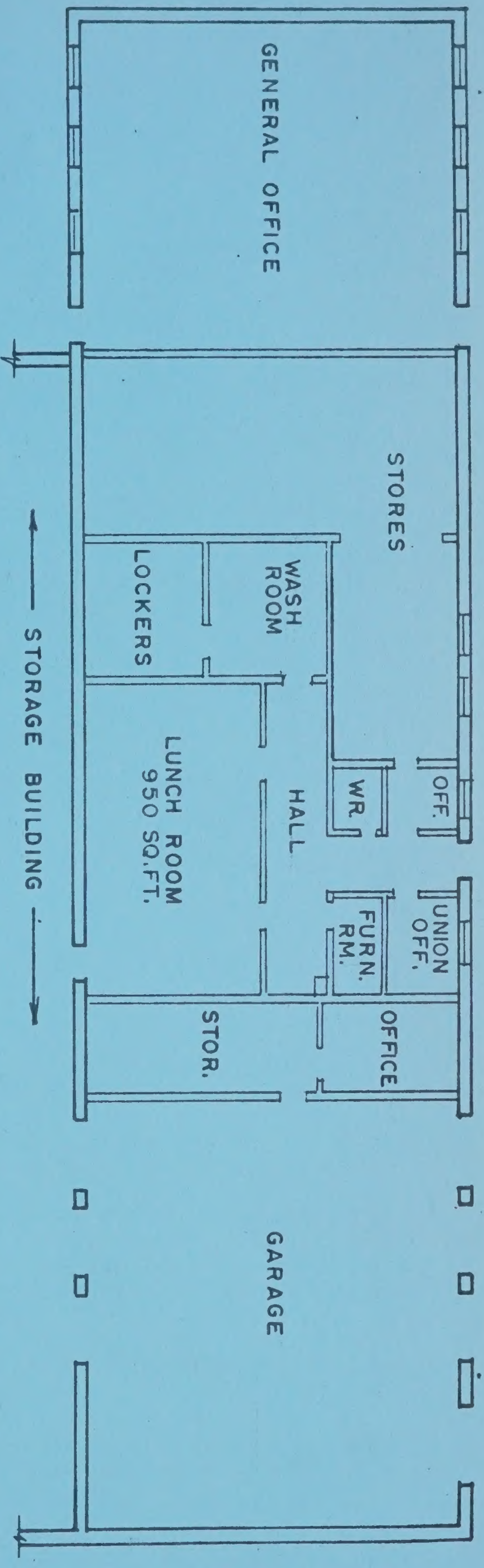
D.Graham, P.Eng
Commissioner of Works

/gg
t.

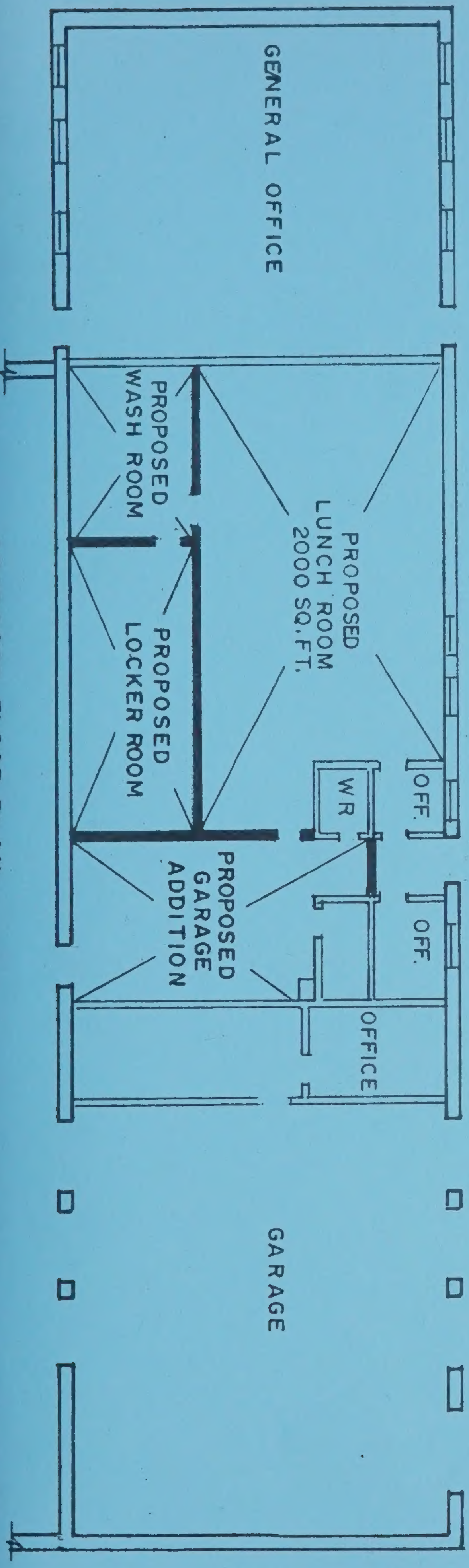
CITY COUNCIL MEETING NO. 38

July 28, 1980

Schedule "S" to Report No.63
(Page 3)


GENERAL OFFICE
STORES
WASH ROOM
LOCKERS
OFF.
WR.
HALL
LUNCH ROOM 950 SQ.FT.
UNION OFF.
FURN. RM.
OFFICE
STOR.
STORAGE BUILDING
GARAGE

EXISTING FLOOR PLAN


GENERAL OFFICE
PROPOSED LUNCH ROOM 2000 SQ.FT.
PROPOSED WASH ROOM
PROPOSED LOCKER ROOM
OFF.
WR
OFF.
PROPOSED GARAGE ADDITION
OFFICE
GARAGE

PROPOSED FLOOR PLAN

WORKS DEPARTMENT

Schedule "T" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: June 20, 1980

SUBJECT: FREE ALL-DAY PARKING FOR CAR POOLS

ORIGIN: Notice of Motion
*"Moved by Alderman Knapp,
Seconded by Alderman Gerretsen,*

WHEREAS a large number of vehicles enter and remain in the City each working day;

WHEREAS the majority of these vehicles transport only one person;

WHEREAS encouragement of car pools would be beneficial in terms of energy conservation;

WHEREAS the resulting reduction of cars coming into the City would alleviate traffic congestion at rush hours;

WHEREAS parking requirements would also be reduced;

THEREFORE BE IT RESOLVED that a downtown lot (with attendant) be designated as a 'free, all day parking lot', providing the stipulation that each vehicle entering the lot must contain at least three persons, is met."

ANALYSIS: (1) The City has three attendant parking lots and garages:

(a) Chown Memorial Lot;
(b) Robert Bruce Memorial Garage;
(c) Hanson Memorial Garage;

(2) The Chown Lot and Robert Bruce Garage operate at capacity and have no monthly parking permits.

(3) (a) The Hanson Garage does not operate at capacity, and, therefore, forty monthly parking permits have been issued at $35.00 per month. A few of these monthly parkers are part of a car pool system now.

(b) The Hanson Garage has a projected 1980 deficit of about $24,000.00.

(c) The forty monthly parking spaces are surplus and could be used by those in car pools until hourly users increase.

(4) Free parking for car pools could attract passengers from the transit system, thus increasing the transit deficit and increasing the need for additional parking downtown.

ALTERNATIVES:
(1) Use of transit (which would lessen the transit deficit).

(2) Free parking near city limits and reduced commuter transit fares (possibly monthly transit passes) sometimes known as "*Park and Ride*" and "*Kiss and Ride*".

Schedule "T" to Report No.64
(Page 2)

SUBJECT: FREE ALL-DAY PARKING FOR CAR POOLS continued

FINANCIAL CONSIDERATIONS: (1) The removal of the forty monthly parking permits would increase the annual deficit of the Hanson Garage by $16,800.00 for a total deficit of $40,800.00.

RECOMMENDATIONS:

(1) That no action be taken on the Notice of Motion.

(2) That the Public Utilities Commission be requested to consider discounted monthly transit passes for the following reasons:

(a) encourage increased useage of transit;
(b) convenience, as no exact fare is required;
(c) boarding time is reduced by monthly pass users;
(d) transfers are not required;
(e) monthly pass riders would have a greater commitment to and identification with the bus system;
(f) beneficial energy conservation;
(g) downtown parking needs reduced.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
ity Clerk

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

ur Ref. No. 21-5

MEMORANDUM

TO: K. G. Linseman,
Traffic, Streets and Parking Administrator.

FROM: M. C. Healy,
City Clerk.

DATE: March 6th, 1980

RE: Free All-Day Parking
- Car Pools

The following Notice of Motion was presented at the regular meeting of City Council held March 3rd, 1980:

"Moved by Alderman Knapp,

Seconded by Alderman Gerretsen,

WHEREAS a large number of vehicles enter and remain in the City each working day;

WHEREAS the majority of these vehicles transport only one person;

WHEREAS encouragement of car pools would be beneficial in terms of energy conservation;

WHEREAS the resulting reduction of cars coming into the City would eleviate traffic congestion at rush hours;

WHEREAS parking requirements would also be reduced;

THEREFORE BE IT RESOLVED that a downtown lot (with attendant) be designated as a 'free, all day parking lot', providing the stipulation that each vehicle entering the lot must contain at least three persons, is met."

This Notice of Motion has been referred to you for a report thereon to the Chief Administrative Officer as soon as possible in order that Council may consider your report with the Notice of Motion at a subsequent meeting.

M. C. Healy,
City Clerk.

MCH:jm

c.c. Mr. R. J. Hamilton, Chief Administrative Officer.

Schedule "U" to Report No. 64
(Page 1)

emo to
Mr. R.J.Hamilton, Chief Administrative Officer

ate
July 25, 1980

ubject
Amendment to Contract 80/4W (Improvements to Quebec and Cherry Streets)

rigin
Public Works Department

nalysis
Under Contract 80/4W the contractor is required to install a new storm sewer system on Cherry St between Quebec and Pine Sts. Because of the narrow width of roadway and the existing underground and aboveground plant, it was necessary to place the new storm sewer in close proximity to the existing 12" diameter vitrified clay combined sewer which was installed prior to 1900. Approximately 33' of combined sewer within the intersection has been replaced under the contract in order to improve the alignment. It has been found that the remaining combined sewer is collapsing as the storm sewer installation proceeds because of the age of the sewer and the disturbance of the soil which acts as a support to the sewer.

The contractor has offered to replace the portions of the sewer which collapse at a unit price of $45.00 per foot. This price is considered reasonable. The tender price for the 33' in the intersection was $70.00 per foot.

inancial
The maximum cost of replacement on the basis of the unit price offered is calculated to be $9,225.00. There are sufficient funds in the By-law and in the contract extra work to cover this. Sanitary sewer replacement as part of sewer separation is not a Local Improvement.

ecommendation
That Council authorize the amending of Contract 80/4W to add to Part "B" - Sanitary Sewers -

Item No.	Item	Unit	Quantity	Unit Price	Total
10(iv)	replace existing 12" Ø dia. combined sewer on Cherry St	lf	205#	$45.	$9,225.

# = This is estimated to be the upper limit of the required replacement. Payment shall be for the footage the Engineer requires the contractor to replace depending on the conditions encountered.

G/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "V" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, M.Sc., P. Eng.
Administrator

DATE: July 25, 1980

SUBJECT: TEMPORARY STREET CLOSING - Johnson Street, King Street, West Street, Court Street, Union Street, Country Club Drive and Old Oak Road

---

ORIGIN: Request from Mr. Rolf T. Lund, Associate Professor, Queen's University, School of Physical and Health Education

ANALYSIS:

1) The Queen's Track and Field Club propose to host a 10 Km Competitive Road Race on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon along the following 10 Km route as outlined on the attached map:

   Starting at West Campus Road near the Tennis Courts north to Johnson Street, east on Johnson Street to King Street, west on King Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to the Queen's West Campus entrance Finish on Queen's West Campus Road.

2) It is also proposed to hold a non-competitive family road race of 2.5 and 5 Km along the same route.

3) Arrangements have been made for police supervision.

4) The Parks & Recreation Department, who have been consulted endorses the road race.

5) Since the streets would be closed to traffic only for the period of time that it takes the runners to pass, and traffic volumes are low on these streets on a Sunday morning, no serious traffic problems are anticipated.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Queen's Track and Field Club to temporarily close the following streets on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon, for the purpose of conducting a 10Km Competitive Road Race:

Start West Campus Road north to Johnson Street, east on Johnson Street to King Street, west on King Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union

Schedule "V" to Report No. 64
(Page 2)

SUBJECT: TEMPORARY STREET CLOSING - Johnson Street, King Street, West Street, Court Street, Union Street, Country Club Drive and Old Oak Road continued

---

RECOMMENDATION: Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to West Campus entrance Finish on Queen's West Campus Road.

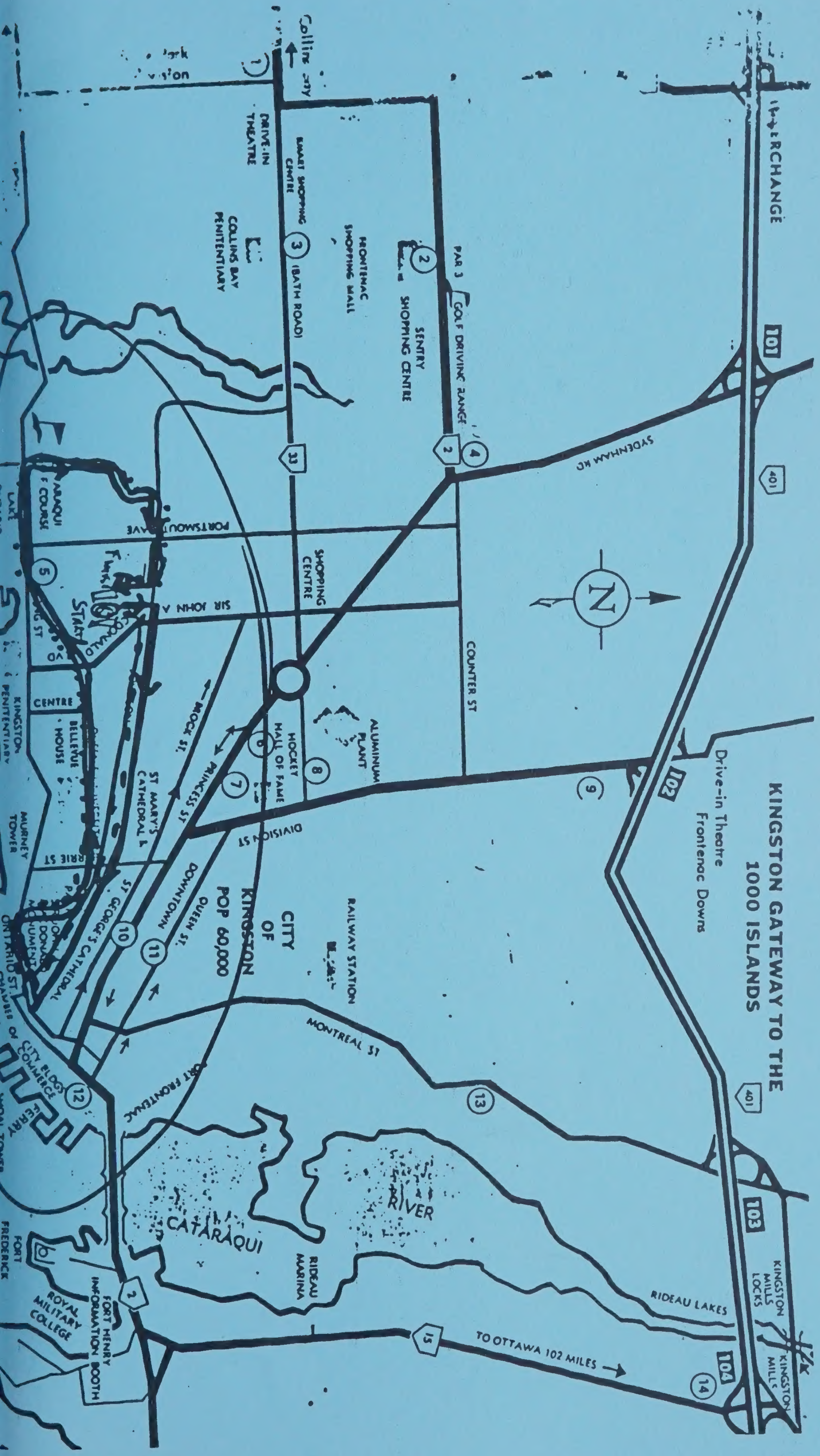
K.G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Attachment

Schedule "V" to Report No. 64
(Page 3)


Collins Bay
Drive-in Theatre
Bay Shopping Centre
Frontenac Shopping Mall
Collins Bay Penitentiary
Bath Road
Par 3
Golf Driving Range
Sentry Shopping Centre
Interchange
101
401
Sydenham Rd
Portsmouth Ave
Sir John A
Shopping Centre
Counter St
Aluminum Plant
Hockey Hall of Fame
Princess St
Division St
St Mary's Cathedral
Bellevue House
Centre
Kingston Penitentiary
Murney Tower
King St
St George's Cathedral
Downtown
Queen St
City of Kingston Pop 60,000
Railway Station
Montreal St
Fort Frontenac
City Bldgs
Ferry
Cataraqui River
Rideau Marina
Royal Military College
Fort Henry Information Booth
Fort Frederick
To Ottawa 102 miles
Rideau Lakes
Kingston Mills Locks
Kingston Mills
102
103
104
Drive-in Theatre
Frontenac Downs
Kingston Gateway to the 1000 Islands
1
2
3
4
5
6
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8
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10
11
12
13
14
N

PROPOSED ROAD RACE

2.5km 5km 10Km

Schedule "W" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 3, 1980

SUBJECT: AMENDMENTS - BY-LAW 24 (TRAFFIC),
- BY-LAW 495 (METERS),
- BY-LAW 4489 (PARKING LOTS)

ORIGIN: Traffic, Streets and Parking Department

ANALYSIS:

1. The description in the by-law regarding particulars required to identify the offence is recommended for revision in City By-Laws 24, 495 and 4489.

2. Under existing City By-Laws 24, 495 and 4489 the permit number and a concise description of the vehicle are required. In discussions with Mr. N. C. Jackson, City Solicitor, under law, only the licence number is needed.

3. It has been found that often when information is obtained from Toronto for summonses, the description, i.e. colour or make, do not correspond exactly with what has been written by the by-law enforcement officer and, as a result, the ticket is thrown out of court, even though the licence number is accurate. For example, a number of people describe their car by model rather than make; i.e. Pinto, rather than Ford, in which case the ticket would be thrown out if it goes for summons. In colour, what one person calls red, another calls maroon, with the same result.

4. Other recommendations being made are for two reasons:

   a) either the section is completely outdated; or

   b) to bring a basic uniformity between the three by-laws; i.e. parking in excess of parking time limit is now $1.00 under By-Law 4489 (Parking Lots), whereas it is $3.00 under By-Law 495 (Meters).

RECOMMENDATIONS: That a by-law be presented to Council to amend By-Law 24 (Traffic), By-Law 495 (Meters) and By-Law 4489 (Parking Lots) as follows:

(a) By-Law 4489 (Parking Lots)

1. Section 12(i): Delete the word "and" and substitute therefor the word "or", so that subsection (i) of section 12 would read:

   (i) the licence number or a description of the vehicle.

2. Section 13(ii) and (iii): Delete penalties of $1.00 and $1.00 respectively, and substitute therefor penalties of $2.00 and $3.00 respectively, so that subsections (ii) and (iii) and section 13 would read:

(ii)	Parking outside of designated parking space	$2.00
(iii)	Exceeding Parking Time Limit	$3.00.

Schedule "W" to Report No. 64
(Page 2)

SUBJECT: AMENDMENTS - BY-LAW 24 (TRAFFIC),
- BY-LAW 495 (METERS),
- BY-LAW 4489 (PARKING LOTS) continued

RECOMMENDATIONS:

(a) By-Law 4489 (Parking Lots)

3. Section 14: Delete the words "and $1.00" in the first line and substitute therefor the words "2.00 and $3.00", so that section 14 would read:

14. The said sums of $5.00, $2.00 and $3.00 shall be accepted as payment of a penalty in full satisfaction in respect of the alleged offence, and a receipt therefor shall be given to the person making the payment.

4. Section 15: Delete the words "and $1.00" in the first line and substitute therefor the words "$2.00 and $3.00" so that section 15 would read:

15. The payments of $5.00, $2.00 and $3.00 referred to in Section 14 shall form part of the general revenues of the Corporation.

(b) By-Law 24 (Traffic)

1. Section 22(1) (a): Delete the word "and" in the first line and substitute therefor the word "or", so that subsection (1) (a) of section 22 would read:

(a) the permit number or a concise description of the vehicle.

(c) By-Law 495 (Meters)

1. Section 19(1) (a): Delete the word "and" in the first line and substitute therefor the word "or", so that subsection (1) (a) of section 19 would read:

(a) the permit number or a concise description of the vehicle.

2. Section 20: Delete in its entirety. This section provided parking regulations on Montreal and Wellington Streets from July 16, 1972 to August 15, 1972.

3. Section 22: Delete in its entirety. This section provided that parking be prohibited on the east side of Ontario Street between Brock and Markets Streets from 12 noon to 6 p.m. on June 5, 1976.

K.G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "X" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 23, 1980

SUBJECT: PRINCESS STREET WIDENING PROJECT -
Preformed Pliant Polymer Pavement Markings

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) 3M Canada Inc. have developed a pavement marking tape known as "Stamark" which has been used recently on Highway 401 in Toronto and some Metropolitan Toronto arterial streets.

2) The "Stamark" tapes are precoated with a pressure sensitive adhesive which can be applied mechanically and consists of high quality polymeric materials, pigments and glass beads, with a reflective layer of beads bonded to the top surface. The tapes are durable, conformable and retroreflective.

3) Princess Street and the approaches at the Portsmouth Avenue intersection should have year round markings which would minimize the risk of accidents.

ALTERNATIVE: Use of paint which lasts only six months and must be repainted twice a year.

EXISTING POLICY: When no suitable alternative material is available, a quotation is submitted to Council for approval.

FINANCIAL CONSIDERATIONS:

1) 3M Canada Inc. have submitted a quotation of $7,637.88, F.O.B. Toronto, for the supply of the following material:

a)	LANE LINES	3,110 linear feet 4" White "Stamark"
b)	CENTRE LINES	580 linear feet 4" Yellow "Stamark"
c)	CROSSWALKS	845 linear feet 4" White "Stamark"
d)	STOP BARS	220 linear feet 12" White "Stamark"
e)	LANE ARROWS	23 White Left arrows; 10 White Right arrows.

Included in the price is the use of their application equipment and technical supervision for the Traffic and Streets Department, who will be installing the tape.

2) The initial cost of "Stamark" Brand pavement marking tape is substantially more than paint; however, the extended durability could prove the cost per year to be less in the long run. Reducing the risk of accidents also is an economic benefit.

Schedule "X" to Report No. 64
(Page 2)

SUBJECT: PRINCESS STREET WIDENING PROJECT - Preformed Pliant Polymer Pavement Markings continued

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FINANCIAL CONSIDERATIONS: 3) The Ministry of Transportation and Communications has provided written approval of 75% subsidy for this project.

RECOMMENDATION: That the quotation of 3M Canada Inc. in the amount of $7,637.88 (F.S.T. included, P.S.T. exempt), F.O.B. Toronto, for the supply of "Stamark" Brand pavement tape and the use of their application equipment and technical supervision for the period required, be accepted.

K.G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "Y" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 24, 1980

SUBJECT: BANNER - Princess Street

ORIGIN: Request from the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period August 12, to August 17, 1980, inclusive.

ANALYSIS: 1) The purpose of the banner is to announce the "Celebration of Women's Art in City Park, August 17, 11 - 4 p.m.". This event will bring together dancers, musicians, poets, weavers, potters, jewellers, etc., who will be performing or displaying their work.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, "A By-Law Respecting Streets", permission be granted to the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period commencing August 12, 1980 to August 17, 1980, to advertise the celebration of Women's Art in City Park on August 17, 1980.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "Z" to Report No. 64
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: B. G. Cousens, City Treasurer.

FROM: R. J. Plumley, Purchasing Department,

SUBJECT: Tender No. 80-28, A Single Package Heat Pump

DATE: July 25, 1980.

Dear Mr. Cousens:

Three bids only, as setout hereunder, were received in response to the subject tender covering the supply and installation of a Heat Pump at 19 Queen Street.

E. S. Fox Limited	$12,450.00
Sleeth Refrigeration	$16,202.00
" "	(Alt. bid - $13,247.00)
Commercial Cooling	$18,595.00

It is recommended for consideration that the bid of E.S.Fox Ltd., be accepted being the lowest bid received, subject to their submission of drawings covering ducting and air distribution for approval prior to commencement of installation.

Yours very truly,

R.J. Plumley

R. J. Plumley,
Purchasing Department.

RJP/vn

cc. Mr. R. J. Hamilton,C.A.O.

NOTE: Number of Invitations Sent 18
Dates of Advertising - June 20 & 21, 1980
Date of Mailing - June 17, 1980
Date of Closing - June 27, 1980.

Schedule "AA" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: PAVING OF BOULEVARD ON SOUTH SIDE OF CATARAQUI STREET - REAR OF 47 JAMES STREET

ORIGIN: Request from Mr. F. Roper, 47 James Street, to pave a 10 foot strip of City boulevard on the south side of Cataraqui Street

ANALYSIS:

1) Cataraqui Street is a very narrow one-way street, only 18 feet wide.

2) The building and garage are very close to the street line which prevents a suitable driveway into a parking lot.

3) The apartment house is surrounded by commercial and light industrial development, including the Brewers Retail across the street from his property.

4) It is preferable to have the shoulder paved instead of the existing gravel.

5) The wide driveway and parking area have existed for 23 years without any problems except drainage.

EXISTING POLICY:

a) Section 24 (2) 1. of By-Law 10 (Streets) states that a driveway shall not exceed 30% of the property frontage;

b) Exemptions have been granted, especially in the older part of the City where unusual circumstances exist.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, "A By-Law Respecting Streets", permission be granted to Mr. F. Roper to pave a 10 foot strip of City boulevard by 60 feet in length at the rear of 47 James Street, on the condition that this asphalt area not be used for parking of vehicles.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "BB" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 24, 1980

SUBJECT: TEMPORARY STREET CLOSING - Ontario Street between Brock and Market Streets - August 20, 1980

ORIGIN: Request from the Parks & Recreation Department

ANALYSIS:

1) As part of the opening activities for the 1980 Ontario Summer Games in Peterborough, a Flame Ceremony will be held on August 20, 1980, from 9:30 a.m. to 10:15 a.m. in Confederation Park on Ontario Street between Brock and Market Streets.

2) There is medium traffic volume at this hour of the morning, and the detour along Market Street, King Street and Brock Street is relatively short.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Organizing Committee for the 1980 Summer Games to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for the purpose of conducting the 1980 Ontario Summer Games Flame Ceremony.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "CC" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: TRAFFIC CONTROL - REQUESTED THREE-WAY STOP SIGN - AVENUE ROAD AND McMAHON AVENUE

ORIGIN: Petition from residents

ANALYSIS:

1) The petitioners alleged that there are high volumes of traffic on Avenue Road as well as speeding along Avenue Road.

2) A meeting was held in my office with residents of the area, accompanied by Alderman Lampropoulos. At that meeting the residents and Alderman Lampropoulos were advised that it was the Department's opinion that a stop sign is unwarranted on Avenue Road and that we would include the intersection of Glengarry Road and Avenue Road, and the intersection of McMahon Avenue and Avenue Road in our annual traffic counting program, which has recently been completed. The traffic count revealed that the volumes on Avenue Road are very low, with only 800 vehicles per day between McMahon Avenue and Glengarry Road, in comparison with other neighbourhood minor collector streets. For example, Van Order Drive carries 2,500 vehicles per day and Norman Rogers Drive carries 3,500 vehicles per day, without any stop sign controls.

3) Several inspections of Avenue Road indicate that the speeds are not in excess of the speed limit.

4) The intersection of Avenue Road and McMahon Avenue is a "T" intersection which has a yield sign control on the McMahon Avenue approach, which is the stem of the "T". There are no intersections in the City in which stop signs or yield signs are located on the through street of a "T" intersection. They have always been located on the stem of the "T".

5) The accidents are extremely low at this intersection with only one minor accident in 1979, and none reported in 1980 to date. For accident comparison purposes, there are 77 intersections in Kingston mainly with stop sign control and signal light control which had four or more accidents in 1979. In other words, stop signs and traffic signal lights do not eliminate accidents.

6) Prior to my appointment, Avenue Road had been designated in the Official Plan as an arterial street with an 86 foot road allowance. The road was built years ago to arterial design strengths, that is, with 5¼" asphalt. Potential traffic on Avenue Road at that time would have been in the vicinity of 15,000 vehicles per

Schedule "CC" to Report No.64
(Page 2)

ANALYSIS:

day. It was this Department that recommended to Council and negotiated with Alcan for a road allowance behind the rear of the houses east of the subdivision in order to provide a by-pass for through traffic.

7) When the subdivision north of Glengarry Road to Counter Street had been submitted to the City, no access was shown to Sir John A. Macdonald Boulevard. The main southerly access would have been via Avenue Road. To the surprise of Council, I recommended that Glengarry Road be connected to Sir John A. Macdonald Boulevard so that traffic from the large subdivision between Glengarry Road and Counter Street would not have to solely use Avenue Road; otherwise, the traffic on Avenue Road today would be in excess of 2,000 cars per day.

8) The stop sign is Kingston's most important regulatory sign, and its abuse should not be tolerated. Its function is to define right of way for the busier of two intersecting streets. It is not for the purpose of speed control.

ALTERNATIVES:

1) Prohibit right and left turns from Glengarry Road onto Avenue Road, and either prohibit left turns from Avenue Road onto Glengarry Road or prohibit left turns from Sir John A. Macdonald Boulevard onto Avenue Road just north of Princess Street.

2) The completion of the four lanes on Sir John A. Macdonald Boulevard between Counter Street and Princess Street is scheduled for 1982. The functional design will consist of a median strip and a separate left turn lane at Glengarry Road. At that time the City will have to consider prohibiting left turns from Sir John A. Macdonald Boulevard at Avenue Road due to its proximity to Princess Street and due to the increased traffic on Sir John A. Macdonald Boulevard.

RECOMMENDATION:

That no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "DD" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Kingston Airport

DATE: July 21, 1980

SUBJECT: PROPOSED ADDITION TO TORONTAIR BUILDING - NORMAN ROGERS AIRPORT

ORIGIN: Request from Torontair for approval of plans prepared by Chrysler & Latham Ltd., Consulting Engineers, for expansion of the Torontair terminal building

ANALYSIS:

1) The existing Torontair building consists of two floors. The first floor contains inadequate Customs facilities as well as the warehouse and washrooms. The second floor contains the ticket office, waiting room and small office.

2) Torontair presently have over 150 passengers a week, and it is most inconvenient for passengers to climb stairs to the second floor with luggage to be ticketed. It is also very difficult for elderly people to climb the stairs. Security checking and control of departing passengers are inadequate. Location of the public washrooms adjacent to the bonded warehouse operation is most unsatisfactory.

3) a) The 1,460 square foot expansion consists of approximately an area 24 feet by 56 feet on the north side of the building and an 8 foot expansion on the east side of the existing building.

   b) The proposed plans show the ticket office and waiting room to be located in the expanded ground floor location as well as new washrooms and an expanded, needed Customs area.

   c) The expansion will also have separate access for arrivals and departures, as well as a separate entrance for Customs.

4) The expansion has been designed to allow for future expansion, if the new proposed terminal facilities are not implemented.

EXISTING POLICY: The lease between the Corporation of the City of Kingston and Toronto Airways Limited for Pad No. 2 requires Torontair to receive approval of the City for any alterations to their building.

RECOMMENDATION: That the plans as submitted by Torontair and prepared by Chrysler & Latham Ltd., Consulting Engineers, for a proposed 1,460 square foot addition to their building located on Pad No.

RECOMMENDATION: 2 at the Kingston Airport, be approved, subject to the approval of Transport Canada.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

CITY COUNCIL MEETING NO. 38 July 28, 1980

MOTIONS

(1) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Council review By-Law No. 10, "A By-Law Respecting Streets."

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTIONS

BYLAWS

(A) That By-Laws 1 to 17 be given their First & Second Readings.

(B) That By-Laws 18 to 31 be given their Third Reading.

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of he Corporation of the City of Kingston" (Amend Section 126 - delete 45.7 m and substitute 15.24 m.)

FIRST AND SECOND READINGS PROPOSED NO. 80-156
(Note: This amending By-Law is necessary to correct a typographical error.)

(2) A By-Law to Amend By-Law No. 8438, "A By-Law to Adopt a Redevelopment Plan for the City of Kingston - N.I.P. Redevelopment Area". (Amend Redevelopment Plan.)

FIRST AND SECOND READINGS PROPOSED NO. 80-157
Clause 1, Report No. 56, 1980.

(3) A By-Law to Fix the Price at which the Stopped Up Portion of Davidson Street, West of Pembroke Street, Shall be Sold.

FIRST AND SECOND READINGS PROPOSED NO. 80-158
Motion (1), City Council Meeting No. 37, 1980.

(4) A By-Law to Authorize the Construction of a Concrete Sidewalk (1.5m wide) West side of Napier Street from Scott Street to Dunlop Street, under the provisions of Section 8 of *The Local Improvement Act.*

FIRST AND SECOND READINGS PROPOSED NO. 80-159
Clause 9, Report No. 64, 1980.

(5) A By-Law to Authorize the Reconstruction of Concrete Sidewalks in

(1) Brock Street (3.1m wide) North side from King to Wellington Streets;

(2) Princess Street (2.04m wide) North side from Tower Street to Westerly 27.4m;

under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-160
Clause 10, Report No. 64, 1980.

BYLAWS (Cont'd)

(6) A By-Law to Authorize Construction of Curb, Gutter and Boulevard in Napier Street East side from Scott Street to Park Street, under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-161
Clause 11, Report No. 64, 1980.

(7) A By-Law to Authorize Construction of an Asphalt Pavement (9.2m wide) in Napier Street from Scott Street to Park Street, under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-162
Clause 12, Report No. 64, 1980.

(8) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (1.83m wide) in Ontario Street East Side from 40.23m south of Barrack Street southerly 20.24m, under the provisions of Section 8 of *The Local Improvement Act.*

FIRST AND SECOND READINGS PROPOSED NO. 80-163
Clause 16, Report No. 64, 1980.

(9) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (2.0m wide) in Princess Street, North side from Victoria Street easterly 57.60m, under the provisions of Section 8 of *The Local Improvement Act.*

FIRST AND SECOND READINGS PROPOSED NO. 80-164
Clause 17, Report No. 64, 1980

(10) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation." (Waive Fees Kingston Women's Arts Festival).

FIRST AND SECOND READINGS PROPOSED NO. 80-165
Clause 19, Report No. 64, 1980

(11) A By-Law to Authorize Improvements to the Public Works Yard, under Section 336 of *The Municipal Act,* R.S.O. 1970, as Amended (General Rate).

FIRST AND SECOND READINGS PROPOSED NO. 80-166
Clause 23, Report No. 64, 1980.

(12) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of *The Highway Traffic Act.* (Clause 27, Report No. 64)

FIRST AND SECOND READINGS PROPOSED NO. 80-167
Clause 27, Report No. 64, 1980.

BY-LAWS (Cont'd)

(13) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Clause 27, Report No. 64).

FIRST AND SECOND READINGS PROPOSED NO. 80-168
Clause 27, Report No. 64, 1980.

(14) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters". (Clause 27, Report No. 64).

FRIST AND SECOND READINGS PROPOSED NO. 80-169
Clause 27, Report No. 64, 1980.

(15) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Women's Art Festival Committee). (Clause 29, Report No. 64)

FIRST AND SECOND READINGS PROPOSED NO. 80-170
Clause 29, Report No. 64, 1980.

(16) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets", (Section 27(a)). (Clause 31, Report No.64)

FIRST AND SECOND READINGS PROPOSED NO. 80-171
Clause 31, Report No. 64, 1980.

(17) A By-Law to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for community purposes.

FIRST AND SECOND READINGS PROPOSED NO. 80-172
Clause 32, Report No. 64, 1980.

(18) A By-Law to Confirm the Proceedings of Council at its Meeting Held on July 28, 1980.

THREE READINGS PROPOSED NO. 80-173
City Council Meeting No. 38, 1980

BY-LAWS (Cont'd)

(19) A By-Law to Authorize the Construction of a Sanitary Sewer in an Easement from Counter Street to Lappan's Lane under the Provisions of Sections 354(1)¶53 and 362 of *The Municipal Act*, R.S.O. 1970, Chapter 284.

THIRD READING PROPOSED NO. 80-14
Clause 11, Report No. 7, 1979-80

(20) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (1.5 m Wide) on the South Side of Clarence Street from Ontario Street easterly 88.09 m under the provisions of Section 7 of *The Local Improvement Act* (Petition).

THIRD READING PROPOSED NO. 80-101
Clause 9, Report No. 42, 1980

(21) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewal and an Asphalt Walkway (General Rate).

THIRD READING PROPOSED NO. 80-102
Clause 10, Report No. 42, 1980

22) A By-Law to Amend By-Law No. 79-151, "A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-abutting, Equally Benefited Frontage from 77.77 m East of Victoria Street easterly 3.05 m under the provisions of Section 7 of *The Local Improvement Act* (Petition)." (Increased Cost)

THIRD READING PROPOSED NO. 80-128
Clause 6, Report No. 50, 1980

23) A By-Law to Amend By-Law No. 80-20, "A By-Law to Authorize the Construction of a Storm Sewer in Clarence Street from Ontario Street easterly 107.59 m, Including in the City's Share a Sanitary Sewer Service, under the provisions of Section 7 of *The Local Improvement Act* (Petition)." (Increased Cost)

THIRD READING PROPOSED NO. 80-129
Clause 8, Report No. 50, 1980

24) A By-Law to Authorize the Construction of a 400 m Watermain on the East Side of Ontario Street from William Street to Johnson Street and Services under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

THIRD READING PROPOSED NO. 80-131
Clause 10, Report No. 50, 1980

25) A By-Law to Amend By-Law No. 79-265, "A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee." (Alternate Member of Council to be Appointed.)

THIRD READING PROPOSED NO. 80-151
Clause 1, Report No. 58, 1980

6) A By-Law to Authorize the Execution of an Agreement with Her Majesty The Queen, in right of the Province of Ontario as represented by the Minister of Transportation and Communication (Kingston Transportation Study).

THIRD READING PROPOSED NO. 80-153
Clause 1, Report No. 60, 1980

BY-LAWS (Cont'd)

(27) A By-Law to Amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of The Corporation of the City of Kingston." (Clause 9(b), Report No. 60.)

THIRD READING PROPOSED NO. 80-154
Clause 9(b), Report No. 60, 1980

(28) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation and Use of the Parks and Recreation Facilities of The Corporation of the City of Kingston" to provide that Admission Prices to the Kingston Pump House Steam Museum be Waived on a Day to be determined in July or August, 1980 for the Promotion of "Kingston Museum Day".

THIRD READING PROPOSED NO. 80-156
Clause 17, Report No. 60, 1980

(29) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Kingston Pops Concert)

THIRD READING PROPOSED NO. 80-157
Clause 18, Report No. 60, 1980

(30) A By-Law to Authorize Extensions and Improvements to the Natural Gas System in the City of Kingston in the Amount of $250,000.00

THIRD READING PROPOSED NO. 80-126
Clause 14, Report No. 48, 1980

(31) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours" (Amend Rotation Schedule)

THIRD READING PROPOSED NO. 80-152
Clause 1, Report No. 59, 1980

UNFINISHED BUSINESS

ADJOURNMENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
SEP 17 1980

CITY COUNCIL MEETING NO. 38

The Regular Meeting of City Council was held on Monday, July 28, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:10 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Ken Keyes; Ald. Bishop; Ald. Clements; Ald. Gerretsen; Ald. Gorham; Ald. Hawkins; Ald. Knapp; Ald. Lampropoulos; Ald. Matthews; Ald. McArthur; Ald. Miller (arrived 7.45 p.m.); Ald. Tarnowecky; Ald. Timmins (13)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer; Mr. B.G. Cousens, City Treasurer.

COMMITTEE OF THE WHOLE IN CAMERA

Moved by Ald. Bishop
Seconded by Ald. Hawkins

That Council resolve itself into the Committee of the Whole In Camera to consider the following item:

(1) Land Sale - Davidson Street

CARRIED

(Council Chamber)

ROLL CALL

Mayor Keyes; Ald. Bishop; Ald. Clements; Ald. Gerretsen; Ald. Gorham; Ald. Hawkins; Ald. Knapp; Ald. Lampropoulos; Ald. Matthews; Ald. McArthur; Ald. Miller; Ald. Tarnowecky; Ald. Timmins. (13)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer; Mr. B.G. Cousens, City Treasurer; Mr. D.R. Fluhrer, Commissioner of Parks & Recreation; Mr. G. DeLugt, Deputy City Engineer; Mr. K.G. Linseman, Administrator - Traffic Streets & Parking.

(B) Moved by Ald. Gerretsen
Seconded by Ald. Gorham

That Council rise from the Committee of the Whole In Camera without reporting.

CARRIED

4
A05
1

MINUTES

Moved by Ald. Hawkins
Seconded by Ald. Knapp

(A) That the Minutes of Meeting No. 36 held on July 2, 1980 be amended as follows: Page 1291, Motion No. 1, add the following prior to the Motion, "Alderman Hawkins declared a conflict of interest in Motion No. 1 since his wife is a member of CUPE Local 141", and further, to add after Motion No. 1 the words, "Alderman Hawkins abstained." and, as amended, the minutes be confirmed.

(B) That the minutes of Meeting No. 37 held on July 14, 1980, be confirmed.

CARRIED

TABLING OF DOCUMENTS

(1) Copy of the Annual Report of the Kingston Police Force for the year 1979.

(Note: Copies were distributed to all members of Council)

(2) Copy of a report from Ms. Mary Fraser, Chairman of the L.A.C.A.C. Committee, on the potential historical and/or architectural designation of buildings in the Downtown Redevelopment Area.

(Note: Copies were distributed to all members of Council)
REFERRED TO THE COMMITTEE OF THE WHOLE - August 11, 1980.

COMMUNICATONS

Which has been Referred to the Planning Board

(510) From the Cataraqui Region Conservation Authority on the matter of fill application renewal to Bob Martin Construction Co. Ltd., Parts of Lot 15 & 16, Conc. II, City of Kingston, and advising that the Authority has previously granted a land fill permit to Bob Martin Construction. This permit expired on December 31, 1979 and in a letter dated July 7, 1980 to the Authority, Mr. Bob Martin requested that this permit be renewed for the 1980 calendar year.

If the City has not submitted any comments to the Conservation Authorit by August 8, 1980 it will be assumed that the City does not have any.

File No. 3-16

Referred to the Committee of the Whole

(511) From the City of Brampton forwarding a copy of a letter they received from the Hon. Thomas L. Wells, Minister of Intergovernmental Affairs, in which the Minister has rejected the City of Brampton's resolution requesting a grant to cover the additional cost of conducting an election every two years rather than every three years. (Communication No. 402).

The Minister has advised the City of Brampton that there has been littl if any, indication by the public that they are interested in a three-year term in the interests of saving money. Rather, the indications th the Minister has received support the retention of the two-year term as a means of greater accountability.

The Minister states that it is not the intention of the government to make a grant to "cover such additional cost" as he does not believe tha not realizing a saving due to the retention of the two-year term of office can be considered an additional cost.

The City of Brampton advises that they are conducting a survey to determ the views of municipalities as to their preference for a one, two or thr year term for municipal council and therefore are requesting that the City of Kingston forward its views in this regard, on or before Septembe 15, 1980.

File No. 19-7

COMMUNICATIONS (Cont'd)

Filed

(512) From the Senior Citizens Council Inc. (Kingston and Area) thanking the City for its cheque in the amount of $10,561. as its 1980 grant.

With the financial support of the Province of Ontario and the City of Kingston, the Senior Citizens Council has been able to hire a Friendly Visiting Co-ordinator to help relieve the loneliness of many of this city's elderly.

File No. 7-3

Referred to the Planning Board

(513) Copy of a letter to Mr. Walter Malaniuk, CEDEK Management Corporation, Mississauga, from the Secretary to the Board of Directors of the Frontenac Condominium Corporation No. 1, advising of their intention to protest CEDEK Management Corporation's proposal for the redevelopment of Lot 13-17, Plan 54 at 28 Yonge Street (Lakeview Manor) Kingston.

The Frontenac Condominium Corporation No. 1 states that their objections to the proposed redevelopment are many and are based on different grounds. They claim that these objections will, in due course, be made publicly before the appropriate forums.

File No. 25-2

Filed

(514) From the Children's Aid Society (City of Kingston & County of Frontenac) regarding their budget for 1980, and advising that they have not been able to come to an agreement with the Province of Ontario so have applied to the Minister for a Child Welfare Review Board hearing. If agreement is not reached, the Ministry will request the municipalities to appoint a member to the Committee.

The Children's Aid Society has expressed its appreciation for the support it has received from its two local municipalities.

File No. 3-4

Referred to the Director of Planning and to the City Solicitor

(515) From Mr. J.B. Sampson forwarding a copy of a reply he received from Premier William Davis in which Mr. Sampson is advised that September 2, 1980 is the scheduled date for the O.M.B. hearing on the matter of the 140 Unit Condominium at the corner of Bath Road and Sir John A. MacDonald Blvd. (Communication No. 465).

In Mr. Sampson's appeal to the O.M.B. he is relying on Section 5 of the Planning Act revision (Bill 96) which deals with height and density and on Section 9 which deals with conditions to be imposed.

Mr. Sampson's main complaint is that the Building Inspection Department has applied Section 4.48 of Zoning By-Law 8499 to reduce the number of units to 67, in the face of the special section of the same zoning by-law, Item No. 138, which permits the 140 units. Mr. Sampson is requesting that the City rectify these inconsistencies.

Amongst other matters to be brought before the O.M.B. hearing, Mr. Sampson is hereby giving notice that he will ask for plot and site plans of the three large scale units in the course of construction along Ontario Street, where it appears there is little green space presently shown; whereas, the Bath Road project occupied only 17% of the lot occupancy, thus enabling livable amenities to be provided.

File No. 3.12-4.1

COMMUNICATIONS (Cont'd)

Referred to the Planning Board

(516) From Homestead Land Holdings Limited requesting that the City give consideration to their proposed amendment limiting the number of units for Block "S" to 320. They ask that Council's decision be made before the O.M.B. hearing reconvenes.

File No. 25-2.4-24

Referred to the N.I.P. Co-ordinator and Housing Officer

(517) From the Ontario Ministry of Housing forwarding a copy of their "Annual Housing Review, 1981". The package contains the following:

- a seven-part questionnaire which includes sections on the following programs - Non-Profit, Assisted Rental, Rent Supplement, Rural Senior Citizen Housing Rental Housing, and Municipal Housing Statement;
- outlines describing these programs;
- a guide to completing the survey; and
- Form A which requests our comments on current programs and Ministry staff assistance.

They ask for a reply by September 30, 1980, to expedite their planning for negotiations with the federal government on their assisted housing targets for 1981.

File No. 8-3.9

Referred to the Commissioner of Works

(518) From the Township of Pittsburgh giving notice under Section 12 of The Local Improvement Act that they intend to construct a watermain which will include the City's frontage on Highway No.2 at the Water Pollution Control Plant. The estimated cost for this frontage (444.25 m) is $26,237.41 or approximately $3514.02 annually for 20 years. The last date for petitioning against the work is August 13, 1980.

File No. 17-3.4

Referred to the Downtown Core Committee and the Downtown Revitalization Committee

(519) From Mr. G. G. Muirhead, Director of Planning and Urban Renewal, forwarding comments on a number of statements from the report which was submitted by the St. Lawrence Valley Society of Architects in May 1980 concerning Scheme "A" proposed by Chartwood Developments Ltd. Mr. Muirhead feels that there are a number of statements in this report which deserve comment if the goal of the downtown revitalization is to be maintained in perspective.

(Note: Copies of this report were distributed to Members of Council on July 19, 1980.)

File No. 4-3.5

Filed

(520) From the Association Review Committee 1980 enclosing a copy of their Final Report dated June 16, 1980. This Committee is made up of representatives from the Association of Municipalities of Ontario, the Rural Ontario Municipal Association and the Association of Counties and Regions of Ontario and was formed to review the municipal association structure in Ontario.

File No. 1-1

COMMUNICATIONS (cont'd)

Filed

(521) From the Association of Municipalities of Ontario forwarding a copy of their AMO Bulletin outlining the preliminary program for the AMO Annual Conference to be held at the Royal York Hotel, Toronto, from August 17th to August 20th, 1980.

File No. 1-5

Referred to the City Solicitor and to the Director of Planning and Urban Renewal

(522) From the Ontario Municipal Board advising of an Appointment for Hearing in the matter of an application by John B. Sampson with respect to development plans for a proposed building at a density of 50 dwelling units per acre on lands comprising of Part of Farm Lot 19, Concession II in the City of Kingston and situated at the northwest corner of Bath Road and Sir John A. Macdonald Blvd. Hearing date is September 2nd, 1980, at 1:00 p.m.

File No. 25-2.3-13

Referred to the Planning Board

(523) From the Ontario Municipal Board in the matter of an appeal by Dimitrios Stratis from a decision of the Committee of Adjustment of the City of Kingston. The Board advises that the appeal must be dismissed, the decision of the Committee of Adjustment is confirmed, and the variance denied.

File No. 3-12

Filed

(524) From the Frontenac County Schools Museum Association thanking the City for granting their request to temporary close Clergy Street between Barrie and Earl Streets in order that they could conduct a bicycle parade and road-eo.

File No. 20-9

Which has been Referred to the Downtown Revitalization Committee

(525) From the Ministry of Housing acknowledging receipt of the City of Kingston's application of May 13, 1980, requesting a Provincial loan of $7.3 million under the Ontario Downtown Revitalization Program.

They also advise that they have reviewed Professor Chapman's report ("The Kingston Central Business District: A Marketing Analysis" - August, 1978) and found that it did not address the current and anticipated retail market situation in the context of what possible impact the Chartwood Project might imprint upon the existing downtown retail sectors. They point out that a revitalization project, in order to achieve the desired catalytic effect, must be integrated with the existing downtown entities.

File No. 4-3.5

(Note: A copy of the letter was distributed to all members of Council.)

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board

(526) From the Township of Kingston enclosing a copy of a letter from the Ontario Municipal Board, dated July 16th, 1980, advising that the hearing scheduled for July 29th regarding By-Law 80-8, T. Tait, Armstrong Road, has been cancelled. Objections to the By-Law have been withdrawn.

File No. 21-4.11

Filed

(527) From Kingston Laser World inviting members of Council and their guests to the Mateus Wines Reception to be held on Monday, July 28, 1980, from 5:00 p.m. until 7:00 p.m. at the Portsmouth Olympic Harbour, upper deck. They would appreciate a brief appearance from anyone who could attend even though it is a Council night.

(Note: Copies of the letter were distributed to all members of Council.)

File No. 17-9.2

Referred to the Commissioner of Works

(528) From Superior Recycling Limited, Toronto, submitting a proposal with respect to the collection of newspaper throughout the City of Kingston.

File No. 7-1.2

Referred to the Committee of the Whole, the City Solicitor and the Administrator of Traffic, Streets & Parking

(529) From R. B. Ruttan, Chief Building Official, regarding the use of 428-A Barrie Street, Kingston, as a community hall by the Kingston Azores Soccer Club.

(Note: Copies of the memorandum from Mr. Ruttan to the City Solicitor were distributed to all members of Council.)

File No. 25-2 and 12-6

Referred to the Committee of the Whole

(530) From Ald. George Webb concerning the proposed club house or community hall at 428-A Barrie Street as submitted by the Kingston Azores Soccer Club. He states that he is very concerned about this matter in which a petition was presented to Council at its last meeting containing 112 names in opposition. The proposed use is not compatable in a residential district in which there are many shift-working, elderly people, etc. There are no parking facilities save for a mutual driveway, which is partly on private property and which is already being abused by the members of this organization. The adjoining property owner has already suffered a heart attack which Ald. Webb believes may have been because of worry and concern over this matter. Ald. Webb implores Council to resist the granting of a licence by the L.L.B.O. which, he understands, is one of the conditions of sale of the property.

File No. 25.2 and 12-6

COMMUNICATIONS (Cont'd)

Filed

(531) From Ald. George Webb advising that he will be on holiday next week and will miss the Council meeting of July 28, 1980.

File No. 3-6

Referred to the Administrator of Traffic, Streets & Parking

(532) From Ald. George Webb advising that he has received several complaints of a dangerous situation at the southeast corner of Patrick Street and Raglan Road of some underbrush that, because of its density, frightens people walking by, especially at night, for obvious reasons. He requests that this matter be attended to.

File No. 2-1.3

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Lampropoulos
Seconded by Ald. Matthews

That Council resolve itself into the Committee of the Whole to hear a delegation, receive reports and to consider motions.

CARRIED

(B) Moved by Ald. Bishop
Seconded by Ald. Gorham

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that a delegation was received, Report No. 63 of the City of Kingston Planning Board, Report No. 64 of the Chief Administrative Officer, and Motions were considered in the Committee of the Whole as follows:

DELEGATION

(1) Mr. John Rooney, 311 Avenue Road, was present with regard to the erection of a stop sign at Avenue Road.

REPORTS

Report No. 62 - Site Plan Control Committee

Council consented to the withdrawal of Report No. 62, at the request of Mr. Vandermeer, Rollins Construction, and agreed that Report No. 62 be considered at the meeting of the Committee of the Whole on August 11, 1980.

REPORTS (Cont'd)

Report No. 62 - Site Plan Control Committee

REPORT NO. 62

July 21, 1980.

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

WHEREAS the owner has requested an extension to July 31, 1981;

THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

(See Schedule 'A' attached hereto - 2 pages)

WITHDRAWN

Respectfully submitted,

CHAIRMAN

Schedule 'A' to Report No. 62
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

N Jackson

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule 'A'to Report No. 62
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board

Ald. Clements presented Report No. 63 of the City of Kingston Planning Board.

Moved by Ald. Clements
Seconded by Ald. Knapp

That Report No. 63 of the Kingston Planning Board be received and adopted clause by clause.

REPORT NO. 63

July 23, 1980.

o the Mayor and Aldermen:

The City of Kingston Planning Board reports and ecommends as follows:

. WHEREAS an appeal by Homestead Land Holdings Ltd. against a decision by the City of Kingston not to approve zoning to permit development at 50 units per acre on a site at Portsmouth Avenue and Bath Road, known as "Block 'S', Calvin Park, is currently before the Ontario Municipal Board; and

WHEREAS the site is currently zoned to permit development at 28 units per acre; and

WHEREAS Homestead Land Holdings Limited has submitted plans which propose a compromise density which would permit 320 dwelling units (approximately 38 units per acre); and

WHEREAS this matter has been considered by the Planning Board, which is of the opinion that the matter should remain under the jurisdiction of the Ontario Municipal Board until such time as a decision is made;

THEREFORE BE IT RESOLVED that the proposal made by Homestead Land Holdings Limited with respect to an amendment to limit the number of units to be developed on the site at Bath Road and Portsmouth Avenue, BE NOT CONSIDERED.
- and further - that the decision of Council to maintain a medium density of 28 units per acre on this property be reaffirmed.

(See Schedule 'A' attached hereto - 1 page)

CARRIED AS AMENDED (9:4)
(See following motion of amendment)

Moved by Ald. Clements
Seconded by Ald. Timmins

That Clause 1 be amended by adding the following: " - and further - that the decision of Council to maintain a medium density of 28 units per acre on this property be reaffirmed.

CARRIED

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board

2. WHEREAS By-Law No. 80-94, a by-law to rezone a 5.5 ha parcel of land north of Counter Street from M Industrial to M.177 Industrial in order to permit a limited number of commercial uses, was passed by Council on April 28, 1980; and

WHEREAS notification of the amending By-Law No. 80-94 has been sent to the affected property owners; and

WHEREAS a letter of objection to this By-Law has been received and considered by the Planning Board;

THEREFORE BE IT RESOLVED that By-Law No. 80-94, passed on April 28, 1980, be reaffirmed.

CARRIED
Ald. Bishop opposed

Ald. Tarnowecky withdrew at 9:14 p.m.

Ald. Bishop declared a conflict of interest in Clause 3, because of a pecuniary interest.

3. WHEREAS Robert B. Martin Construction has requested approval of the Minister of Housing to allow an existing 86 unit apartment building and a proposed 81 unit apartment building, located on the west side of Queen Mary Road, north of Bath Road, to be converted to condominium ownership (10CDM-002 and 10CDM-003); and

WHEREAS the Minister has requested the comment of the City and the request has been circulated to City technical staff; and

WHEREAS no physical change to the approved site plans is proposed; and

WHEREAS this proposal conforms to the Official Plan and Housing Policy Statement of the City;

THEREFORE BE IT RESOLVED that the Minister of Housing be informed that the City of Kingston has no objections to the applications for condominium approval provided the approval does not result in any change to the approved site plans.

CARRIED
Ald. Bishop abstained from voting
Ald. Timmins opposed

Ald. Tarnowecky returned at 9:16 p.m.

4. WHEREAS the Minister of Housing has notified that certain changes to the condominium plan review process are to be instituted; and

WHEREAS the proposed changes encourage the use of Section 50(3) of The Condominium Act to exempt applications from the requirements of Section 33 of The Planning Act where normal planning concerns have already been addressed by the municipality;

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board

THEREFORE BE IT RESOLVED that the Minister of Housing be informed that the City of Kingston endorses the proposed changes to the condominium plan review process.

(See Schedule 'B' attached hereto - 3 pages)

CARRIED

. That, as recommended by the Local Architectural Conservation Advisory Committee, the proposed sign for the Frontenac Hotel (178-186 Ontario Street), being a building designated under The Ontario Heritage Act, as shown on plans prepared by Eskerod Signs Limited, dated April 22, 1980 (Dwg. No. 483), be approved.

CARRIED

Ald. Bishop declared a conflict of interest in Clause 6, because of a pecuniary interest.

. That the Cataraqui Region Conservation Authority be informed that the City of Kingston has no objection to the renewal of a fill permit to Bob Martin Construction Limited, with respect to filling on parts of Lots 15 and 16, Concession II, City of Kingston, on the same basis as the original permit was granted.

CARRIED

Ald. Bishop abstained from voting

Ald. Bishop declared a conflict of interest in Clause 7, because of a pecuniary interest.

. That the Cataraqui Region Conservation Authority be informed that the City of Kingston has no objection to the renewal of a fill permit to Greenwood Brothers Limited, with respect to filling on Lots 23, and 24, Concession III, City of Kingston (west side of Division Street, north of Dalton Avenue) on the same basis as the original fill permit was granted.

CARRIED

Ald. Bishop abstained from voting

. That the following resolution, passed by Council at its meeting on June 5, 1980 (Clause 1, Report No. 49) be reaffirmed:

"That, as recommended by the Local Architectural Conservation Advisory Committee, all brick streets in the City of Kingston be preserved and maintained as such for the enjoyment of future generations, particularly the foot of Johnson, Brock and Clarence Streets, and that portion of Pine Street which are paved with brick, and that approaches be made to the Ontario Heritage Foundation and the Kingston Historical Society for support for the preservation and maintenance of these particular streets"

- and further -

REPORTS (Cont'd)

Report No. 63 - City of Kingston Planning Board

That the aforementioned cobblestone streets (foot of Johnson, Brock and Clarence Streets and a portion of Pine Street) be preserved, restored and maintained to the best of the City's ability.

REFERRED TO THE COMMISSIONER OF WORKS
(See following motion to refer)

Moved by Ald. Knapp
Seconded by Ald. Tarnowecky

That Clause 8, Report No. 63, be referred to the Commissioner of Works for a report on the costs involved in restoring the visible portions of the cobblestone streets, rather than repairing the entire street to the water's edge, such report to be considered at the August 11 meeting of the Committee of the Whole.

CARRIED

Respectfully submitted,

Chairman

Schedule "A" to Report No. 63
(Page 1)

Homestead Land Holdings Limited

80 JOHNSON STREET

Kingston, Ontario

K7L 5C7

OX 1453

TELEPHONES:
RENTALS – 546-3146
CONSTRUCTION – 546-1534
** LEGAL – 544-6673

July 10th, 1980

Mayor & Council
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

RE: REQUESTED ZONE CHANGE - BLOCK "S"

Dear Sirs:

At the O.M.B. hearing in this matter, July 8th, Mr. Hugh Kelly, the presiding chairman, commented that our proposed amendment limiting the number of units to 320 had not been considered by the City, and that he would, therefore, rule only on the straight rezoning to B3, which permits 50 units per acre. Our evidence supports the higher figure and the compromise proposed was an effort to recognize and overcome the objections of some twenty area residents.

We therefore ask that the City give consideration to the proposed amendment, in order that its decision may be placed before the board when the hearing is reconvened. We have written to the Planning Board suggesting a meeting to discuss some solution, which will hold the density substantially below B3, but still follow the Official Plan more closely than the present zoning.

Yours sincerely,

HOMESTEAD LAND HOLDINGS LIMITED,

Per:

A. Britton Smith

ABS*ch
c.c.
*Mr. George Muirhead,
Director of Planning & Urban
Renewal;
Mr. Norman C. Jackson,
City Solicitor.

Schedule "B" to Report No. 63
(Page 1)

SCHEDULE 'H'

Office of the Minister

Ministry
of
Housing

Hearst Bloc
Queen's Par
Toronto Onta
M7A 2K5
416/965-645

CITY COUNCIL
MEETING OF:
23 JUN 1980

[illegible]
Planning Board

COMMUNICATION
No: 458

June, 1980

To: Municipalities with condominium development activity

Re: Revised Procedure for Condominium Plan Review

The Government of Ontario is committed to promoting the streamlining of the planning process. With this objective in mind, I am endorsing certain changes to the condominium plan review process.

The changes encourage the use of section 50(3) of The Condominium Act to exempt applications from the requirements of section 33 of The Planning Act where normal planning concerns have already been addressed by the municipality.

I have attached an outline to establish where I believe the revised process would be appropriate and procedures to be followed.

I count on your support to implement this change to the condominium plan review process.

Yours sincerely,

Claude Bennett

Claude F. Bennett
~~Minister~~
M.P.P. Ottawa South

Attachment

City of Kingston
RECEIVED
JUN 23 1980
DEPARTMENT OF
THE CITY CLERK

Schedule "B" to Report No. 63
(Page 2)

OUTLINE

CONDOMINIUM PLAN REVIEW PROCESS

Approval Process

- applicant submits draft plan of condominium and application form
- initial review by ministry or delegated municipality and circulation of plan to local municipality (and regional municipality if appropriate) and occasionally to other agencies
- review of replies to circulation, resolution of any problems or conflicts and issuance of draft approval subject to appropriate conditions
- applicant submits final plans and any necessary clearance letters (i.e. from the municipality)
- final approval given to allow registration of condominium

Exemption Process

- applicant submits:

  a) final plan of condominium and application form

  b) letter from the local municipality (and regional municipality if appropriate) supporting exemption from approval
- evaluation by ministry or delegated municipality
- exemption given to allow registration of condominium

Relevant legislation is section 50(2), (3) of The Condominium Act.

50 (2) Subject to subsection 3, the provisions of section 33 of The Planning Act that apply to plans of subdivision apply, with necessary modifications, to descriptions under this Act, and a description shall not be registered unless approved or exempted by the Minister of Housing.

(3) Before making an application under subsection 1 of section 33 of The Planning Act, the owner of a property or someone authorized by him in writing may apply to the Minister of Housing to have the description or any part of the description exempted from such section 33, or from any provisions thereof, and where in the opinion of the minister such exemption is appropriate in the circumstances, he may grant the exemption.

. . 2

Procedure for Exemption under section 50(3) of The Condominium Act

1. The proponent (builder/developer) applies to the approving authority for exemption from the requirements of section 33 of The Planning Act. If the proponent has the written support of the affected municipality for exemption the application is dealt with right away. The process will apply equally to new condominiums and conversions from rental to condominium. (If the municipality does not wish to recommend exemption, they may recommend approval subject to municipal conditions. Any recommendation for approval is to be accompanied by full justification to assist the approving authority in its decision.)
2. The exemption procedure is appropriate where the condominium development is subject to a by-law passed under section 35a of The Planning Act or where it conforms to an approved official plan and zoning by-law and is included within a registered plan of subdivision. In that the development will have already undergone a full planning evaluation, no further concerns or conditions of approval would be required from the municipality.
3. Where the approval authority decides to exempt, a certificate of exemption stamp is affixed to the final plans. The certificate of exemption permits the applicant to register the plan of condominium. (Where the decision is not to exempt but to approve with conditions, a draft approval is issued with appropriate conditions as usual under section 33 of The Planning Act.)
4. Whether the decision is to exempt or approve, copies of the stamped plans are forwarded to the Legal Survey Standards Branch, Ministry of Consumer and Commercial Relations in the usual way. (Where the municipal decision is to not approve, the proponent still has the option of referral to the Ontario Municipal Board under section 44(1) of The Planning Act.)

Prepared by:

Plans Administration Division
June, 1980

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer
Report

Council consented to the addition of Clauses 35, 36 and 37.

REPORT NO. 64

July 28, 1980

To the Mayor and Members of Council

The Chief Administrative Officer reports and recommends as follows:

1. That the matter of the City's contribution to the Lemoine Point Conservation Area Project be considered.

(Note: A report of the City's contribution for the years 1976-1980 is attached hereto as Schedule "A", 1 page.)

CARRIED
(See following motion to refer)

Moved by Ald. Gorham
Seconded by Ald. Lampropoulos

That Clause 1, Report No. 64 be referred to the August 25 meeting of the Committee of the Whole; that a report be requested from the Commissioner of Parks and Recreation on the effects of City contributions to Lemoine Point Conservation Area Project, on City parks; and that City representatives on the Cataraqui Region Conservation Authority be invited to participate in this meeting, to be held in the Loyalist Room, City Hall, at 7:00 p.m. on August 25, 1980.

REFERRED TO THE COMMITTEE OF THE WHOLE - AUGUST 25, 1980

2. That, as recommended by the City Treasurer, List of Accounts No. 6, dated June, 1980, in the amount of $6,643,786.39, for expenditures incurred under proper authorization, be approved.

(Note: A copy of the List of Accounts No. 6 was distributed to Members of Council on July 11, 1980.)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

3. That the following resolution from the Town of Durham be considered:

"That a Resolution be circulated to the Municipalities with Police Commissions and to the A.M.O. requesting their support to change the policy of Ontario Police Commission so that the Commission contain a majority of elected representatives."

CARRIED
(See following motion)

Moved by Ald. Hawkins
Seconded by Ald. Matthews

That the Resolution of the Town of Durham be endorsed.

CARRIED (7:6)

Ald. Gerretsen withdrew at 10:06 p.m.

4. That the appointment of the following members of Council as voting delegates to the 1980 A.M.O. Conference, to be held in Toronto, August 17th to 20th, 1980, be approved:

Ald. J. P. Gerretsen
Ald. M. Gorham
Ald. W. Knapp
Ald. Y. Tarnowecky

(Note: Mayor Keyes is a voting delegate by virtue of his office as a member of the A.M.O. Board of Directors. The City of Kingston is entitled to a maximum of 5 voting delegates.)

CARRIED

Ald. Gorham withdrew at 10:08 p.m.

5. WHEREAS City Council, at their meeting held on March 17, 1980, approved a budget of one million dollars for the Transit Operating Deficit, less any increase in Busit programs;

AND WHEREAS the Public Utilities Commission subsequently received the Busit approval;

THEREFORE BE IT RESOLVED that, as recommended by the City Treasurer, the following budget transfer be approved:

	Increase	Decrease
Transit Operating Deficit		$89,870.00
Finance Contingencies	$89,870.00	

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

- AND FURTHER -

That, in order to provide additional funds for the purchase of a 53 passenger bus as requested by the Public Utilities Commission, the following budget transfer to approved:

	Increase	Decrease
Transit Capital Expenditures	$4,569.00	
Transit Subsidy	$3,427.00	
Finance Contingencies		$1,142.00

(Note: A copy of the Report of the Treasurer is attached hereto as Schedule "B", 2 Pages.)

CARRIED

Ald. Gerretsen returned at 10:09 p.m.

6. That, as recommended by the City Solicitor, the City pay the following amounts to Michael Borenko to settle a dispute with regard to the location of a fence at the northwest corner of First Avenue and County Lot 267, Plan 137, in the City of Kingston:

Repair of Fence	$210.00
Survey Cost - Borenko	260.00
Legal Costs	250.00
Total	$720.00

- and further -

That the following budget transfer be approved:

	Increase	Decrease
Finance Miscellaneous	$720.00	
Finance Contingencies		$720.00

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "C", 1 Page.)

TABLED TO THE AUGUST 11 MEETING OF THE COMMITTEE OF THE WHOLE (See following motion to table)

Moved by Ald. Hawkins
Seconded by Ald. Matthews

That Clause 6, Report No. 64 be tabled to the August 11 meeting of the Committee of the Whole.

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

Ald. Bishop declared a conflict of interest in Clause 7, due to a pecuniary interest.

7. That, as recommended by the City Solicitor, the City not object to the application of Bob Martin Construction Ltd. and Robert Bennett Martin (In Trust) under the Certification of Titles Act with regard to property located in the City of Kingston, County of Frontenac, formerly in the Township of Kingston, in the County of Frontenac, being comprised of Part of Lots 15 and 16, Concession II, of the original Township of Kingston, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on plan of survey dated June 12, 1980, signed by William H. Card, O.L.S., provided that the Certificate of Title is subject to the agreement with the City of Kingston dated August 27, 1979, and registered on September 27, 1979, as instrument No. 327582.

CARRIED
Ald. Bishop abstained from voting

Ald. Timmins withdrew at 10:12 p.m. and returned at 10:18 p.m.
Ald. Gorham returned at 10:18 p.m.

8. That, as recommended by the Commissioner of Works, since sufficiently signed petitions have been received to pave Napier Street from Scott to Park Street with curb, gutter and boulevard on the east side, but not for a sidewalk on part of the west side, and, since a sidewalk exists from Park Street to Dunlop Street, it is desirable that this walk be constructed in conjuntion with the pavement to provide for pedestrian traffic and act as a curb for the pavement, a by-law be presented to Council to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier Street from Scott Street to Dunlop Street under Section 8 of *The Local Improvement Act* -

Total estimated cost	$3,727.00
Owner's Share	613.40
Anticipated MTC Subsidy	227.00
City's Share	2,886.60
Debenture Amount	3,500.00

- and further -

That the following transfer in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement - Sidewalks	$1300.00	
General Rate - Sidewalks		$1300.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "D", 2 Pages.)

(See By-Law 4 - No. 80-159)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

9. That, as recommended by the Commissioner of Works, since sufficiently signed petitions have been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk in:

(1) Brock Street (3.1 m wide) N/S from King to Wellington Street

(2) Princess Street (2.04 m wide) N/S from Tower Street to Westerly 27.4 m

under Section 7 of *The Local Improvement Act*.

Allocation of costs are as follows:

Project	Total Cost	Owners' Share	City's Share	MTC Subsidy	Debenture Amount
Brock St.	$14,200.	$6,207.27	$7,269.73	$723.00	$13,477.
Princess St.	2,600.	654.75	1,738.25	207.00	2,393.

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 1 Page.)

(See By-Law 5 - No. 80-160)

CARRIED

0. That, as recommended by the Commissioner of Works, since a fully signed petition has been received, a by-law be presented to Council to authorize the construction of curb, gutter and boulevard in Napier Street, east side, from Scott Street to Park Street under the provisions of Section 7 of *The Local Improvement Act*.

Costs are as follows:

Total estimated cost	$2,531.00
Owners' Share	1,067.62
City's Share	732.38
M.T.C. Subsidy Anticipated	731.00
Debenture Amount	1,800.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "F", 1 Page.)

(See By-Law 6 - No. 80-161)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

11. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of the asphalt pavement (9.2 m wide) in Napier Street from Scott Street to Park Street under Section 7 of *The Local Improvement Act.*

Costs are as follows:

Total Estimated Cost	$26,680.00
Owners' Share	4,113.43
M.T.C. anticipated Subsidy	11,283.00
City's Share	11,283.57
Debenture Amount	15,397.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 1 Page.)

(See By-Law 7 - No. 80-162)

CARRIED

12. That, as recommended by the City Treasurer, pursuant to Section 636(a) of *The Municipal Act* R.S.O. 1970, Chapter 284, the applications of persons and firms listed in the attached Schedule "*H*", 5 pages, in the amount of $54,276.54 for cancellation, reduction, or refund of taxes be approved.

CARRIED

13. That payment of the account of Alexander V. Crate Consultants, for professional consulting services provided to the City of Kingston on April 2, 1980, relative to Downtown Revitalization, in the amount of $600.00, be considered.

(Note: A copy of the letter and invoice from Mr. A. V. Crate are attached hereto as Schedule "I", 2 pages.)

CARRIED
(See following motion)

Moved by Ald. Bishop
Seconded by Ald. Gerretsen

That no payment be made on the Account of A.V. Crate Consultants in the amount of $600.00.

CARRIED

14. That, as recommended by the Commissioner of Works, the tender of Gordon Barr Limited, in the amount of $57,935.00, to construct sanitary sewers and service in Counter Street and easement, be accepted being the lowest tender received. These works are fully approved and were part of the 1979 Capital Budget.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "J", 1 page.)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

15. That, as recommended by the Commissioner of Works, since the condition of the sidewalk is hazardous and pedestrian traffic is considerable, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk (1.83 m wide) in Ontario Street, east side from 40.23 m south of Barrack Street southerly 20.24 m under the provisions of section 8 of *The Local Improvement Act*. Adequate funds are available in the 1980 Capital Budget.

Costs are:

Total estimated cost	$1,750.00
Owner's Share	875.00
City's Share	875.00
Debenture Amount	1,750.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "K", 1 page.)

(See By-Law 8 - No. 80-163)

CARRIED

16. That, as recommended by the Commissioner of Works, since the condition of the sidewalk is hazardous and Princess Street is a main business street, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk (2.0 m wide) in Princess Street, North Side, from Victoria Street easterly 57.60 m under the provisions of Section 8 of *The Local Improvement Act*, it being noted that adequate funds are available in the 1980 Capital Budget.

Costs are:

Total estimated cost	$5,300.00
Owners' Share	2,279.64
City's Share	2,722.36
M.T.C. Subsidy	298.00
Debenture Amount	5,002.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "L", 1 page.)

(See By-Law 9 - No. 80-164).

CARRIED

7. That, as recommended by the Purchasing Department and the Commissioner of Parks and Recreation, the tender of Donald Dennee in response to Tender No. 80-34 - Concessionary Rights Throughout Certain City Property, offering 20% of the gross be accepted on the understanding that all the conditions contained in the attached agreement are acceptable to the tenderer.

(Note: A copy of the report of the Purchasing Department and the Commissioner of Parks and Recreation is attached hereto as Schedule "M", 8 pages.)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

18. That, as recommended by the Commissioner of Parks and Recreation, a By-Law be presented to Council to amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of The Corporation", to provide that the fees for the use of the City Park Recreation Centre by The Kingston Women's Arts Festival on Sunday, August 17, 1980, during the hours of 11:00 a.m. to 4:00 p.m., be waived.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "N", 3 pages.)

(See By-Law 10 - No. 80-165)

CARRIED

19. That, as recommended by the Commissioner of Works and the Purchasing Department, Tender No. 80-29 for Hopper Type Aggregate Material Spreaders be awarded in part as follows:

(1) To Marmac Hydraulics

One Maglar ML8S Spreader	$5,995.00
Trade-In Allowance	600.00
Net Difference	$5,395.00
Provincial Sales Tax	377.65
Total T.I.P. Delivered	$5,772.65

(2) To Maglar Equipment Limited

One King Seagrave, K-61-1 Spreader	$6,464.00
Trade-In Allowance	500.00
Net Difference	$5,964.00
Provincial Sales Tax	417.48
Total T.I.P. Delivered	$6,381.48

(Note: A copy of the Report of the Commissioner of Works and a Summary of Tender No. 80-29 as well as the comments of the Deputy City Engineer, are attached hereto as Schedule "O", 4 pages.)

CARRIED

20. That the report of the Commissioner of Parks and Recreation regarding the repairs to the Newlands Pavilion which was recently vandalized, attached hereto as Schedule "P", 1 page, be considered.

CARRIED
(See following motion)

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

Moved by Ald. Hawkins
Seconded by Ald. Lampropoulos

That necessary repairs to the Newlands Pavilion be carried out by the Parks and Recreation Department and that the following budget transfer be approved:

	Increase	Decrease
Finance Contingencies		$ 2,500.
Parks General	$ 2,500.	

CARRIED

Moved by Ald. Clements
Seconded by Ald. Miller

That if a conviction is made, the Crown Attourney be requested under Section 653 (1) of *The Criminal Code* to present argument to the Court for restitution.

CARRIED

Moved by Ald. Miller
Seconded by Ald. Gerretsen

That, pursuant to Rule 16 of By-Law No. 1, "A By-Law to Regulate Council Procedures", permission be granted to continue the meeting until 11:30 p.m.

CARRIED (9:3)

21. That the report of the Commissioner of Parks and Recreation regarding an offer which has been received to give to the City of Kingston the sculpture, "First Ship", now located on the grounds of St. Lawrence College, be considered.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "Q", 1 page.)

CARRIED
(See following motion)

Moved by Ald. Gerretsen
Seconded by Ald. Miller

That the offer of St. Lawrence College to donate to the City, free of charge, a sculpture entitled "First Ship" be accepted, that relocation expenses to a maximum of $700. be approved, and that the following budget transfer be approved:

	Increase	Decrease
Finance Contingencies		$ 700.
Parks General	$ 700.	

CARRIED
Ald. Timmins opposed

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

22. That, as recommended by the Commissioner of Works, payment of the account of Kingston Automatic Transmission Ltd., in the amount of $1,405.18, for repairs to the automatic transmission in truck #355, be authorized, it being noted that the Shop Foreman has been directed in writing to follow the procedure set out in By-Law No. 1 for purchase of supplies.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "R", 1 page.)

CARRIED

Ald. Tarnowecky withdrew at 11:02 p.m.
Ald. Gorham returned at 11:03 p.m.
Ald. Clements withdrew at 11:04 p.m.

23. That, as recommended by the Commissioner of Works, a General Rate Construction By-Law be presented to Council to authorize improvements to the Public Works Yard in the areas of lunch, locker and washrooms, stores, equipment repair, and dispensing of fuel, as shown on Drawing C-50P and the attached sketch, at an estimated cost of $99,000.00, under section 336 of *The Municipal Act* RSO 1970, as amended, it being noted that sufficient funds are available in the 1980 Capital Budget.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "S", 3 pages.)

(See By-Law 11 - No. 80-166)

REFERRED TO A SPECIAL MEETING OF COUNCIL
(See following motion of referral)

Moved by Ald. Hawkins
Seconded by Ald. Knapp

That Clause 23, Report No. 64 be referred to a special meeting of council to be held during August or September.

CARRIED

Ald. Tarnowecky and Ald. Clements returned at 11:11 p.m.

24. 1) Moved by Ald. Gerretsen
Seconded by Ald. Miller

That Clause 22, Report No. 55, of the Chief Administrative Officer, now known as Clause 24, Report No. 64, of the Chief Administrative Officer, as follows, be lifted from the table and considered:

CARRIED

Council consented to the division of the question.

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

4. 2) That, as recommended by the Commissioner of Traffic, Streets and Parking, no action be taken on the following Notice of Motion of Ald. Knapp and Ald. Gerretsen:

"Moved by Ald. Knapp
Seconded by Ald. Gerretsen

"WHEREAS a large number of vehicles enter and remain in the City each working day; and

"WHEREAS the majority of these vehicles transport only one person; and

"WHEREAS encouragement of car pools would be beneficial in terms of energy conservation; and

"WHEREAS the resulting reduction of cars coming into the City would alleviate traffic congestion at rush hours; and

"WHEREAS parking requirements would also be reduced;

"THEREFORE BE IT RESOLVED that a downtown lot (with attendant) be designated as a 'free, all day parking lot', providing the stipulation that each vehicle entering the lot must contain at least three persons, is met."

CARRIED
Ald. Gerretsen, Ald. Knapp opposed

3) That the Public Utilities Commission be requested to consider discounted monthly transit passes for the following reasons:

a) encourage increased usage of transit;

b) convenience, as no exact fare is required;

c) boarding time is reduced by monthly pass users;

d) transfers are not required;

e) monthly pass riders would have a greater commitment to and identification with the bus system;

f) beneficial energy conservation;

g) downtown parking needs reduced.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "T", 3 pages.)

REFERRED TO THE TRANSIT REVIEW COMMITTEE
(See following motion of referral)

Moved by Ald. Clements
Seconded by Ald. Timmins

That Clause 24, Section (3), be referred to the Transit Review Committee.

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

25. That, as recommended by the Commissioner of Works, Contract 80-4W (improvements to Quebec and Cherry Streets) with Taggart Construction Limited, be amended to add to Part B Sanitary Sewers as follows:

Item No.	Item	Unit	Quantity	Unit Price	Total
10(iv)	replace existing 12" dia. combined sewer on Cherry Street	lf	205#	$45.	$9,225.

(Note: # = This is estimated to be the upper limit of the required replacement. Payment shall be for the footage the Engineer requires the contractor to replace depending on the conditions encountered.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "U", 1 page.)

CARRIED

26. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to grant permission to the Queen's Track and Field Club to temporarily close the following streets on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon, for the purpose of conducting a 10 Km Competitive Road Race:

Start West Campus Road north to Johnson Street, east on Johnson Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to West Campus entrance Finish on Queen's West Campus Road.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "V", 3 pages.)

CARRIED

27. That, as recommended by the Administrator of Traffic, Streets and Parking, By-Laws be presented to Council to amend By-Law 24 (Traffic), By-Law 495 (Meters) and By-Law 4489 (Parking Lots) as outlined in the Report of the Administrator of Traffic, Streets and Parking which is attached hereto as Schedule "W", 2 pages.

(See By-Law 12, 13, 14 - No. 80-167, 80-168, 80-169)

CARRIED

28. That, as recommended by the Administrator of Traffic, Streets and Parking, the quotation of 3M Canada Inc., in the amount of $7,637.88 (F.S.T. included, P.S.T. exempt), F.O.B. Toronto, for the supply of "Stamark" Brand pavement tape and the use of their application equipment and technical supervision for the period required, be accepted.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "X", 2 pages.)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

29. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to amend By-Law No. 10, "A By-Law Respecting Streets", to permit the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period commencing August 13, 1980, to August 17, 1980, to advertise the celebration of Women's Art in City Park on August 17, 1980.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "Y", 1 page.)

(See By-Law 15 - No. 80-170)

CARRIED

30. That, as recommended by the City Treasurer and the Purchasing Department, the tender of E. S. Fox Ltd. in response to Tender No. 80-28, "A Single Package Heat Pump", in the amount of $12,450.00 be accepted being the lowest bid received, subject to their submission of drawings covering ducting and air distribution for approval prior to commencement of installation. it being noted that there are sufficient monies in the 1980 budget for this purpose.

(Note: A copy of the report of the Purchasing Department is attached hereto as Schedule "Z", 1 page.)

CARRIED

31. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to amend By-Law No. 10, "A By-Law Respecting Streets", to grant permission to Mr. F. Roper to pave a 10 foot strip of City boulevard by 60 feet in length at the rear of 47 James Street, on the condition that this asphalt area not be used for parking of vehicles.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "AA", 1 page.)

(See By-Law 16 - No. 80-171)

CARRIED

32. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to grant permission to the Organizing Committee for the 1980 Summer Games to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for the purpose of conducting the 1980 Ontario Summer Games Flame Ceremony.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "BB", 1 page.)

(See By-Law 17 - No. 80-172)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

33. That, as recommended by the Administrator of Traffic, Streets and Parking, no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "CC", 2 pages.)

REFERRED TO THE COUNCIL MEETING ON AUGUST 11, 1980 (See following motion of referral)

Moved by Ald. Timmins
Seconded by Ald. Lampropoulos

That Clause 33, Report No. 64 be referred to the Committee of the Whole meeting on August 11, 1980.

CARRIED

34. That, as recommended by the Administrator of Kingston Airport, the plans as submitted by Torontair and prepared by Chrysler & Latham Ltd., Consulting Engineers, for a proposed 1,460 square foot addition to their building located on Pad No. 2 at the Kingston Airport, be approved, subject to the approval of Transport Canada.

(Note: A copy of the report of the Administrator of Kingston Airport is attached hereto as Schedule "DD", 2 pages.)

CARRIED

35. That, as recommended by the Administrator of Traffic, Streets and Parking, a By-Law be presented to Council to temporarily close on August 1, 1980, Arch Street at Stuart Street from 7:00 a.m. to 12 noon and to temporarily close Stuart Street between Barrie Street and George Street from 7:00 a.m. to 12 noon to one lane traffic, except for one hour between 9:00 a.m. and 12 noon, in which Stuart Street would be fully closed for one hour to permit the installation of a cooling tower on the roof of Botterell Hall, Queen's University; and that English & Mould, Contractors, be charged $75.00, payable in advance, for rental of the street, and shall be responsible for any damage to the sidewalk or roadway.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "EE" - 1 page.)

(See By-Law 32 - No. 80-174)

CARRIED

36. That, as recommended by the Commissioner of Parks and Recreation, and in accordance with By-Law No. 19, "A By-Law to Provide For the Regulation Use of Parks and Recreational Facilities of the Corporation", permission be granted to Dickie Dee Ice Cream and to The Vaults Restaurant to sell ice cream and drinks, respectively, in Confederation Park.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "FF" - 2 pages.)

CARRIED

REPORTS (Cont'd)

Report No. 64 - Chief Administrative Officer

37. That By-Law No. 80-151, "A By-Law to Amend By-Law No. 79-265, 'A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee'", be amended on Third Reading to provide for four elected members of the Site Plan Control Committee, with two elected officials acting as alternates;

- and further -

that the following appointments to the Site Plan Control Committee be approved:

Ald. Knapp - Member

Ald. McArthur) Alternates
Mayor Keyes)

CARRIED
Ald. Bishop, Ald. Clements, Ald. Hawkins opposed.

Respectfully Submitted,

B. G. Cousens,
City Treasurer and
Deputy Chief Administrative
Officer.

Schedule "A" to Report No.64
(Page 1)

BREAKDOWN OF CONTRIBUTIONS TO LEMOINE POINT CONSERVATION AREA PROJECT - 1976-1980

Total Acquisition Costs	$1,010,000.
Province of Ontario	656,500.
Township of Kingston	252,505.
City of Kingston	100,995.
Total Development Costs	280,237.
City of Kingston's Share	31,490
Total Maintenance Costs	56,712.
City of Kingston's Share	14,178.
Total City Share for Development and Maintenance	45,668.

Schedule "B" to Report No.64
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: Mayor and Members of Council

FROM: B.G. Cousens, City Treasurer &
Deputy Chief Administrative Officer

DATE: July 17, 1980

RE: Transit Department Budget

City Council, at their meeting on March 17th, approved a budget of one million dollars for the Transit operating deficit, less any increase in Busit programs.

The Public Utilities Commission subsequently received the Busit approval and the following budget transfer should be approved in order to restore these funds to Finance Contingencies.

	Increase	Decrease
Transit Operating Deficit		$89,870.
Contingencies	$89,870.	

In order to provide additional funds for the purchase of a 53 passenger bus as requested by the Public Utilities Commission in the attached letter, it will be necessary to approve the following budget transfer.

	Increase	Decrease
Transit Capital Exp.	$4,569.	
Transit Subsidy	$3,427.	
Finance Contingencies		$1,142.

BGC/jt
Encl.

Schedule "B" to Report No. 64
(Page 2)

P.U.C.
a hydro utility
KINGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

J. K. FEE, P.ENG., GENERAL MANAGER
A. BOWIE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1980 07 15

Mr. M. C. Healy
City Clerk
Corporation of the City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Healy:

Re: Transit Capital Asset Assistance Program 1980

The Capital Expenditure Estimates for the Transit Department for 1980 which was approved included the estimated cost of 1 x 53 Passenger Bus at $106,000. This was submitted and approved by the Ministry for Capital Asset Assistance.

Tenders were called and the only bid received was for $110,569. an increase of $4569. The tender has been submitted to the Ministry for approval of the increase in total subsidy by $3427.

The City's additional cost for this vehicle will be $1142. and City approval of this increase in the total Capital Budget is requested as soon as possible so that the order can be placed with the suppliers when Ministry approval is received.

Yours faithfully,

A. Bowie

A. Bowie
Secretary Treasurer

AB:jm

City of Kingston
RECEIVED
JUL 15 1980
DEPARTMENT OF
THE CITY CLERK

Schedule "C" to Report No.64
(Page 1)

Office of the
City Solicitor
Our Ref: L-18

CITY OF KINGSTON
JUL [illegible] 1980
OFFICE OF
CITY TREASURER

MEMORANDUM

TO: B.G. Cousens
Deputy Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: July 15, 1980

RE: County Court Action - Borenko vs. The City of Kingston

A problem arose in 1971 concerning a property at the northwest corner of First Avenue and County Lot 267, Plan 137 in the City of Kingston. A dispute arose between the owner of the property, Michael Borenko, and the City of Kingston concerning the existence of a fence erected by Borenko on what was reputed to be a public lane. The City commissioned a survey by Mr. Campbell which showed the fence was in fact located approximately 5' within the lane. The Borenkos commissioned a survey by Smith and Smith which showed that the fence was approximately on the boundary. The City ordered the fence removed and, in fact, removed the fence. A Writ and Statement of Claim were issued in the County Court. A Statement of Defence was not entered by the City at the time because it was thought that the City should pursue an application pursuant to the Boundaries Act.

When this matter was turned over to me I conferred with Mr. McKibbon who confirmed that rather than pursue further expensive proceedings we should obtain the opinion of a third surveyor. This was done. Mr. Burgham, O.L.S. prepared a Sketch Survey Plan which agreed with the Borenko's surveyor showing that the fence was very close to the boundary, and at the most only several inches on the said lane. In conferring with the solicitor for the plaintiffs he has now agreed to settle the action as follows. The fence could have been repaired in 1972 for the price of $210.00 according to an estimate produced. The Plaintiffs as well were required to engage a surveyor at a cost of $260.00. The legal costs incurred to date have been reasonably set at the sum of $250.00.

It is therefore recommended that due to the most recent survey which has confirmed that the fence was in fact on the boundary of the properties or only several inches on the said lane at most, that the Borenkos be paid the above-noted sums, being $210.00 for repair of the fence, $260.00 for the cost of their survey and $250.00 for legal costs.

It would appear that due to the surveying error, if this matter proceeded further in court there could be more extensive damages awarded against the City.

NCJ/nr

Norman C. Jackson
City Solicitor

c.c. Doug Graham
Public Works

Schedule "D" to Report No.64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of a concrete sidewalk (1.5 m wide) on Napier St., west side, from Scott St to Dunlop St.
Origin	Public Works Department

Analysis

Sufficiently signed petitions have been received for a pavement and for curb, gutter and boulevard on the east side. On the west side the only gap in the sidewalk is this section. Mr. Linseman has recommende that this be a school sidewalk. There are two owners. One owner has signed. It is necessary that both sign. The second owner lives in Ottawa. He has been contacte and appears not to object to the work but has not signed and returned the petition.

There is wheel chair traffic to Churchill Park from Ongwanada Hospital. It would be desirable to be able to construct the walk in conjunction with the paving of the road. It is possible that the remaining owner will not object under Section 8 of the Local Improvement Act

Existing Policy

When a sidewalk is constructed in a residential area for the first time, it is done under the Local Improvement Act.

Financial

The Local Improvement walk schedule includes a walk on the east side of Montreal St from 55 m north of Raglan northerly 31 m. The only owner has refused to sign a petition. The outcome of an O.M.B. hearing is doubtful at this time. It is suggested that rather than proceed under Section 8 with the Montreal St walk, we use the $2200.00 provided for it towards the Napier walk where we could present a sound case to the O.M.B. and transfer $1300.00 from a small surplus ($2040.00) left in General Rate Walks to provide the necessary $3500.00.

Recommendation

That since sufficiently signed petitions have been received to pave Napier St from Scott to Park St with curb, gutter and boulevard on the east side but not for a sidewalk on part of the west side and since a sidewalk exists from Park St to Dunlop St., it is desirable that this walk be constructed in conjunction with the pavement to provide for pedestrian traffic and act as a curb for the pavement, a by-law be passed to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St from Scott St to Dunlop St under Section 8 of the Local Improvement Act -

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

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Memo to Mr. R.J.Hamilton - 2 July 21, 1980

Recommendation cont'd

And that the following transfer in the 1980 Capital Budget be approved -

Project	Increase	Decrease
Local Improvement Sidewalks	$1300.	
General Rate Sidewalks		$1300

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "E" to Report No.64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 18, 1980
Subject	Reconstruction of sidewalk in - (1) Brock St n/s from King to Wellington St (2) Princess St n/s from Tower St westerly 27.4 m
Origin	Public Works Department
Analysis	Sufficiently signed petitions for the above listed works have been received. These walks are in bad condition and were included in the schedule approved by Council earlier this year. Tree planting is included in the work on Brock St.
Existing Policy	Sidewalk reconstruction in commercial areas is carried out under the Local Improvement Act.
Financial	Adequate debenture funds are available in the 1980 Capital Bud
Recommendation	That, since sufficiently signed petitions have been received, a by-law be passed to authorize the reconstruction of the concrete sidewalk in -

(1) Brock St (3.1 m wide) n/s from King to Wellington St

(2) Princess St (2.04 m wide) n/s from Tower St to westerly 27.4 m

under Section 7 of the Local Improvement Act.

Allocation of costs are as follows -

Project	Total Cost	Owners' Share	City's Share	MTC Subsidy	Debent Amoun
(1) Brock St	$14,200.	$6,207.27	$7,269.73	$723.	$13,4
(2) Princess St	2,600.	654.75	1,738.25	207.	2,3

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "F" to Report No.64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of curb, gutter and boulevard in Napier St., east side, from Scott St to Park St.
Origin	Public Works Department.
Analysis	Curb and gutter is needed in conjunction with a pavement to solve flooding problems being experienced on the east side. A fully signed petition for the aforementioned work has been received.
Existing Policy	When a curb, gutter and boulevard are constructed in a residential area for the first time, it is carried out under the Local Improvement Act.
Financial	Adequate debenture funds are available in the 1980 Capital Budget.
Recommendation	That, since a fully signed petition has been received, a by-law be passed to authorize the construction of curb, gutter and boulevard in Napier St., east side, from Scott St to Park St under the provisions of Section 7 of the Local Improvement Act .

Costs are -

Total estimated cost	$2,531.00
Owners' share	1,067.62
City's share	732.38
M.T.C. subsidy anticipated	731.00
Debenture amount	1,800.00

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "G" to Report No. 64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of asphalt pavement (9.2 m wide) in Napier St from Scott St to Park St.
Origin	Public Works Department.
Analysis	The above described section of Napier St is surface treated macadam road in very poor condition and at a grade that causes some flooding problems. A sufficiently signed petition has been received.
Existing Policy	When a street is paved in a residential area for the first time, it is carried out under the Local Improvement Act.
Financial	Adequate debenture funds are available in the 1980 Capital Budget.
Recommendation	That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of the asphalt pavement (9.2 m wide) in Napier St from Scott St to Park St under Section 7 of the Local Improvement Act.

Costs are -

Total estimated cost	$26,680.00
Owners' share	4,113.43
M.T.C. anticipated subsidy	11,283.00
City's share	11,283.57
Debenture amount	15,397.00

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "H" to Report No. 64
(Page 1)

: R.J. Hamilton,
Chief Administrative Officer

OM: B. G. Cousens,
City Treasurer

TE: July 23, 1980

BJECT: Refund or cancellation of taxes pursuant to Section 636(a) of the Municipal Act R.S.O. 1970, Chap. 284, file 20.2

IGIN: Application by owner of property, or owner of business, in case of business tax.

ALYSIS: Section 636(a) of the Municipal Act gives City Council the authority to write off taxes for the following reasons:

Property has become exempt.
Building was razed by fire or demolished.
Overcharged due to error.
Liable for business tax, but has not carried on business for the entire year.

TERNATIVE: If City Council does not grant the refund or cancellation of taxes, the applicant is entitled to a hearing by City Council, and if not satisfied, may appeal to the Assessment Review Court, County Judge and Ontario Municipal Board.

NANCIAL
NSIDERATION: On these write-offs, that portion of the tax that is applicable to the school boards, is charged back to the school board. Provision for these refunds or cancellations has been made in the budget. Those businesses who have discontinued, and relocated in another area of the city are assessed by the Regional Assessment Office and are processed through the Tax Department and billed for taxes at the new location. Also any business that moves into an existing or new location are also taxed for that part of the year that they are liable for the tax. All applications for refund or cancellation of taxes are referred to the Regional Assessment Office for approval and follow-up prior to being presented to Council.

COMMENDATION: That pursuant to Section 636(a) of the Municipal Act R.S.O. 1970, Chap. 284, the applications of persons and firms listed in the attached Schedule "1" in the amount of $54,276.54 for cancellation, reduction, or refund of taxes be approved.

SCHEDULE "H" to Report No. 64
(Page 2)

RGLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPARATE SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS		REFUNDS	
													PUBLIC	SEPARATE	PUBLIC	SEPARATE
010 030 05000 0000 000C	Homestead Lndholdings	14 Ontario	Demolition	R	12	138.58	14.58	56.15	75.11			18.82	303.24			
010 030 05000 0000 000C	Homestead Lndholdings	14 Ontario	Demolition	R	12	212.58	22.37	86.14		101.41			422.50			
010 050 06200 0000 000F	Queen's University	186 Barrie	Exempt	R	12	313.95	33.04	127.21	170.17						644.37	
010 070 10400 0000 000D	Bd. of Education	Earl	Exempt	R	12	109.43	11.51	44.34	59.31			5.62	230.21			
010 120 02300 0010 001F	Empire Life	80 Johnson	Moved	B	11	547.00		221.67	296.49			24.42	1089.58			
010 120 02300 0020 001L	B. Smith	80 Johnson	Red.Space	B	12	136.13		55.16	73.78			6.62	271.69			
010 120 02300 0030 001C	Zagrodney Engineering	80 Johnson	Moved	B	10	76.94		31.18	41.70			3.10	152.92			
010 120 02300 0060 001D	Empire Life	80 Johnson	Moved	B	11	49.33		19.99	26.73			2.20	98.25			
010 120 07700 0000 000D	361028 Ontario Ltd.	171-191 Ont.	Assd.Twice	R	12	1214.08	127.77	491.97	658.07			62.30	2554.19			
010 020 00800 0000 000H	James Olsen	50 Earl	Demolition	R	12	2.69	.28	1.09		1.28						5.34
010 060 03600 0000 000A	Queen's University	96 Queen's Cr.	Exempt	R	12	814.92	85.76	330.22	441.71						1672.61	
010 080 04200 0000 000E	Queen's University	164 University	Exempt	R	12	759.75	79.95	307.86	411.81						1559.37	
010 110 01600 0030 001F	S.E. Simonsen & Assoc	240 Brock	Moved	B	12	192.59		78.04	104.39		25.96	10.02	411.00			
010 120 08300 0010 001L	E. Swain	190 Ontario	Moved	B	12	239.55		97.07	129.84			11.66	478.12			
010 120 08900 0020 001B	Peter Cartile	273 King E.	Moved	B	12	48.54		19.67		23.15		2.28		93.64		
010 130 00400 0032 001M	Jesse Dutton	159 Wellington	Moved	B	7	25.85		10.47	14.01		5.88	.84	57.05			
010 130 00400 0040 001E	Katherine Manley	159 Wellington	Closed	B	11½	77.36		31.35	41.92		17.36	4.10	172.09			
010 130 00400 0160 001E	Richardson Securities	90 Brock	Moved	B	8	145.25		58.86	78.71		19.52				302.34	
010 130 05700 0010 001E	John Brebner	33 Brock	Closed	B	12	191.53		77.61	103.81		25.78	9.96	408.69			
010 130 06700 0070 001D	Eric's Dept. Store	42 Princess	Closed	B	11	386.43		156.60	209.45		86.68	19.25	858.41			
010 130 09900 0020 001D	Gilles Simard	82 Princess	Closed	B	12	406.81		164.85	220.50		91.38	22.08	905.62			
010 130 10100 0010 001F	John Berry	72 Princess	Closed	B	10	71.67		29.04	38.84		16.10	3.90	159.55			
010 140 00700 0000 000B	C.I.B.C.	147 Brock	Fire	C-R	12	127.90		51.79	69.32						249.01	
010 140 00700 0020 001G	Dr. G. Dippel	147A Brock	Fire	B	12	160.40		64.99	86.94		21.62				333.95	
010 140 0070 0030 001M	Mike Markellos	147 Brock	Fire	B	3	13.58		5.50	7.36		3.06				29.50	
010 140 00700 0010 001C	Hoagie House	147 Brock	Fire	B	3	26.11		10.58	14.15		5.88	.04			56.76	
010 140 02600 0050 001D	Anaesthesia Service	10 Montreal	Moved	B	9	69.64		28.22	37.75		9.36	3.60	148.57			
010 140 06200 0060 001D	Frank MacNamara	288 Princess	Moved	B	10	60.67		24.58	32.88		13.60	1.40	133.13			
010 140 06800 0010 001E	Flat Top Junction	274 Princess	Moved	B	7	63.39		25.69	34.36		14.28				137.72	
020 030 00800 0080 001M	McNeely Engineering	844 Princess	Closed	B	9	104.06		42.17	56.41			3.78	206.42			
020 030 00800 0091 001K	McNeely Engineering	844 Princess	Closed	B	9	77.16		31.27	41.82			2.79	153.04			
020 030 00800 0050 001L	Lloyd's Barber Shop	844 Princess	Closed	B	10	34.29		13.89	18.58			1.40	68.16			
020 030 00900 0000 000B	Theo Psihogios	842 Princess	Fire	C-R	12	155.37		62.91	84.21			51.38	353.87			
020 030 00900 0010 001C	Peter Liappas	842 Princess	Fire	B	12	254.85		103.27	138.13			12.40	508.65			
020 030 01300 0070 001C	Dr. Macklin	221 King E.	Moved	B	7½	170.15		68.80	92.20			5.18	336.33			
020 030 01300 0071 001H	Imperial Optical	800 Princess	Closed	B	12	243.77		98.78	132.13			11.86	486.54			
020 030 01300 0160 001B	Dr. Scott	800 Princess	Closed	B	12	301.28		122.08	163.30			14.66	601.32			
020 030 01300 0270 001K	Londry's Drugs Ltd.	800 Princess	Red.Space	B	12	147.21		59.65	79.79			7.16	293.81			
020 030 01400 0010 001L	Lloyd Wilson/CYWorld	772 Princess	Fire	B	2	167.97		68.08	90.96						327.01	
020 050 11300 0020 001M	Herman Overvelde	630 Princess	Closed	B	12	259.60		105.19		123.84		12.22		500.85		

Schedule "H" to Report No. 64
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ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPARATE SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARATE
020 060 05800 0020 001K	Victory Motors	598 Princess	Moved	B	12	294.42		119.30	159.58			14.34	587.64			
020 130 07300 0100 001H	B. Ryce	346 Princess	Db.Billing	B	12	213.15		84.78	98.37		51.49	11.06	458.85			
020 080 07000 0010 001C	Carman&Barry Robinson	501 Johnson	Closed	B	12	64.90		26.29	35.17			3.16	129.52			
020 130 07300 0081 001K	Earl Courtney	346 Princess	Closed	B	12	52.76		21.38	28.60		7.10	2.74	112.58			
020 140 03200 0080 001A	Alliance Communic.	424 Princess	Moved	B	8	40.09		16.24	21.72		8.96	2.16	89.17			
020 140 04500 0010 001M	Dr. Bechard	74 Johnson	Moved	B	8	94.95		38.48	51.46						184.89	
020 030 01300 0170 001F	J. Fowler	800 Princess	Moved	B	12	281.76		114.17	152.72			13.72	562.37			
030 010 01500 0030 001H	Vanderlinden Real Est.	24 Chatham	Moved	B	12	69.12		28.00	37.46			3.36	137.94			
030 030 08100 0050 001B	London Life	449 Princess	Moved	B	11	1186.39		480.77	643.05			52.91	2363.12			
030 030 10500 0010 001K	C. Lanzo	503 Princess	Fire	B	12	251.68		101.98		120.07		11.84		485.57		
030 040 00600 0000 000D	S. Springer & Sons	421 Princess	Vacated	C-R	9	177.93		72.10	96.53						346.56	
030 040 00600 0010 001E	421 Food Services	421 Princess	Closed	B	12	474.35		192.21	257.11		106.47	25.76	1055.90			
030 040 01200 0070 001A	L. Hoferer	322 Queen	Moved	B	12	44.32		17.96	24.02		10.05	2.40	98.75			
030 040 03000 0020 001A	Joe Cyril	332 Barrie	Closed	B	11	88.50		35.86	47.97		19.91	4.84	197.08			
030 040 03900 0010 001A	Kingston Furniture	353 Princess	Closed	B	8	236.34		95.77	128.08		53.04	8.56	521.79			
030 050 07900 0011 001L	K. Lamb	293 Division	Moved	B	12	35.35		14.32	19.16			1.72	70.55			
030 080 04600 0010 001B	Frank Bracciodieta & Tony Alfano	184 Sydenham	Closed	B	9	125.83		50.99	68.21		28.26	5.13	278.42			
030 080 08500 0010 001C	Wyn Plaunt	227 Princess	Moved	B	9	149.97		60.77	81.30		33.71	3.14	333.89			
030 080 08600 0030 001K	Della Mason	231 Princess	Closed	B	12	105.00		42.54	56.91		23.65	5.70	233.80			
030 080 09900 0000 000B	Sedmar Co. Ltd.	316 Bagot	Vacated	C-R	8	160.94		65.13	87.10						313.17	
030 080 09900 0011 001H	Philip Routley	316 Bagot	Moved	B	8	321.80		130.41	174.39		72.24	5.92	704.76			
030 080 09900 0150 001M	Insurance Advisory Org	310 Bagot	Closed	B	8½	36.24		14.68	19.64		8.16				78.72	
030 080 11500 0010 001K	McNeil's Fabrics	350+39 Montreal	Closed	B	12	395.20		160.14	214.21		88.75	21.46	879.76			
030 090 00100 0120 001C	Village Pine Interiors	303 Bagot	Closed	B	12	409.98		166.13		195.58	91.98	21.60		885.28		
030 090 00100 0270 001D	Touch, Ross, & Co.	303 Bagot	Closed	B	9	369.18		149.61	200.12		49.68	14.40	782.99			
030 090 00100 0280 001H	Minto Construction	303 Bagot	Closed	B	12	466.44		189.01	252.82		62.82	24.28	995.37			
030 090 00100 0360 001C	Mutual of Omaha	133 Princess	Closed	B	10	373.74		151.44	202.55		33.60	8.05	769.38			
030 090 03000 0010 001M	Frans Vanderhorst	197 Wellington	Closed	B	12	39.04		15.82		18.62		2.06		75.54		
030 090 03000 0040 001A	Tectronics Ltd.	201 Wellington	Moved	B	11	40.62		16.46		19.38						76.46
030 090 05300 0000 000K	Estate-Samuel Springer	91 Princess	Vacated	C-R	9	96.85		39.24	52.55						188.64	
030 090 05300 0130 001L	L & G Restaurant	91 Princess	Closed	B	9	193.49		78.73	104.89		43.47	10.53	431.11			
030 090 07100 0045 001A	Sands,Pattenden,Gay,Kemp	275 Ontario	Moved	B	12	114.50		46.39	62.06		15.41	5.96	244.32			
030 100 03300 0000 000G	Taylor Chev-Olds	325-329 Bagot	Demolition	C	10	359.67	32.18	145.74	194.92		186.40				918.91	
030 100 03300 0040 001K	Taylor Chev(Host Rental)	106 Barrack	Closed	B	10	92.77		37.59	50.28						180.64	
030 100 05100 0020 001L	A. Donaldson	73 Queen	Closed	B	12	48.01		19.45	26.02		6.46	2.50	102.44			
030 100 09800 0020 001F	K. Traynor	10 Ordnance	Closed	B	7	52.31		21.20		24.96		2.45		100.92		
030 140 10500 0000 000F	F. Grant	421 Barrie	Demolition	R	12	2.69	.28	1.09	1.45						5.51	
040 010 04200 0050 001D	H. Kane	785 Montreal	Closed	B	12	15.30		6.20	8.29						29.79	
040 010 06500 0000 000H	Elder's Bev.	671 Montreal	Demolition	C	12	236.38	21.14	95.78		112.77		102.90		568.97		
040 010 06500 0010 001K	Elder's Bev.	671 Montreal	Demoliton	B	12	70.70		28.65		33.73		26.90		159.98		

Schedule "H" to Report No. 64
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ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECON. SCHOOL	PUBLIC SCHOOL	SEPRT. SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARATE
040 010 06500 0020 001B	Elder's Bev. Ltd.	671 Montreal	Demolition	B	12	35.35		14.32		16.86		3.05		69.58		
040 010 18700 0090 001E	A. Cruji	445 Montreal	Closed	B	12	320.81		129.99	173.88			15.62	640.30			
040 010 19100 0010 001D	P. Ladouceur	545 Montreal	Closed	B	12	142.46		57.73		67.96		6.70		274.85		
040 050 04100 0010 001L	Kingston Furniture	10 Chestnut	Closed	B	8	23.21		9.40	12.57			.76	45.94			
040 050 04800 0020 001M	Kingston Furniture	221 Raglan	Closed	B	12	37.46		15.18	20.30			1.82	74.76			
040 070 09400 0020 001C	John& Marina Redmond	314 Montreal	Closed	B	12	160.40		64.99	86.94			7.80	320.13			
040 100 10000 0010 001B	Wm. Robertson	144 Duff	Over Assd.	B	12	192.06		77.82	104.10			15.60	389.58			
040 100 11100 0010 001E	Eastern Generator	398 Patrick	Red.Space	B	7	88.63		35.91	48.03			6.23	178.80			
040 100 13500 0010 001B	N. Thomas	541 Division	Closed	B	10	311.30		126.14	168.71			12.63	618.78			
040 110 01000 0040 001F	R. Babcock	783 Division	Closed	B	12	48.54		19.67	26.31			2.36	96.88			
040 110 09400 0030 001C	Robert Martin	70 Hickson	Assd.Twice	B	12	307.23		122.20	141.79			49.98	621.20			
040 110 09400 0020 001L	S.G. Christmas Ltd.	70 Hickson	Closed	B	12	275.96		111.82	149.57			13.44	550.79			
040 110 09700 0010 001M	Shirley Richards	140 Hickson	Closed	B	12	146.68		59.44	79.50			7.14	292.76			
040 110.22100 0000 000B	Folsom Equipment	190 Hagerman	Fire	R	11½	434.09	45.70	175.84	235.27						890.90	
040 120 14100 0000 000E	R. Hawkins	127 Butler	Demolition	R	12	252.05	26.52	102.13	136.62						517.32	
050 020 07100 0030 001G	J. Yannakouras	561 Princess	Closed	B	12	145.10		58.79	78.65			7.06	289.60			
050 040 09800 0000 000L	Shell Canada	677 Princess	Vacated	C-R	1	25.97		10.52	13.96						50.45	
050 040 09800 0010 001M	J. Garrah	677 Princess	Moved	B	11½	596.66		241.78	323.37			27.83	1189.64			
050 050 07300 0140 001C	J. Wilson	837 Princess	Moved	B	10	141.14		57.19	76.49			6.90	281.72			
050 050 07400 0031 001L	Arm-Dare Homes	847 Princess	Moved	B	9	35.61		14.43	19.30			.65	69.99			
050 050 07500 0030 001C	Advanced Carpet	861 Princess	Moved	B	12	218.44		88.51	118.40			10.64	435.99			
050 050 07500 0060 001D	Bayview Automotive	298 Concession	Closed	B	12	142.99		57.94	77.50			6.28	284.71			
050 060 01200 0040 001C	World Funding	1085 Princess	Closed	B	12	130.32		52.81	70.64			6.34	260.11			
050 060 02100 0040 001C	Patterson Car Sales	311 Concession	Closed	B	12	80.73		32.71		38.51		3.80		155.75		
050 060 12700 0000 000F	Stan&Jean Kamarnisky	581 MacDonnell	Demolition	R	12	89.25	9.39	36.16	48.37						183.17	
050 140 01600 0020 001C	Theo Marcelissen	41 Brant	Closed	B	12	55.93		22.66		26.68		2.64		107.91		
050 140 20602 0010 001G	Kingston Humane Soc.	231 Dalton	Exempt(Pt)	B	12	276.48						6.92	283.40			
060 020 10400 0020 001E	Kingston Refreigeration	130 Florence	Closed	B	12	27.96		11.33	15.15			1.36	55.80			
060 020 18300 0090 001M	Gazebo Furniture	1412 Princess	Moved	B	10	172.36		69.84	93.41			8.40	344.01			
060 020 18300 0091 001E	Gazebo Furniture	1412 Princess	Moved	B	10	18.46		7.48	10.00			.90	36.84			
060 040 02000 0010 001F	Chrysler Canada	1429 Princess	Closed	B	12	3346.35		1356.01	1813.81			162.90	6679.07			
060 060 07100 0061 001B	Lucerna Beauty Salon	1379 Princess	Moved	B	12	32.71		13.25	17.73			1.60	65.29			
060 102 00900 0032 001H	Ray Keeler	Shopping Centre	Closed	B	10½	69.15		27.87	37.27			2.94	137.23			
060 102 00900 0033 001B	Ray Keeler	Shopping Centre	Closed	B	10½	9.28		3.74	5.00			.36	18.38			
060 102 00900 0034 001G	Noonday Graphics	Shopping Centre	Closed	B	11½	121.86		49.38	66.04			5.98	243.26			
060 102 00900 0035 001A	Noonday Graphics	Shopping Centre	Closed	B	11½	14.15		5.73	7.67			.69	28.24			
060 102 00900 0050 001F	Caplan's Gifts	Shopping Centre	Closed	B	8½	31.01		12.56	16.81			.54	60.92			
060 102 00900 0051 001M	Caplan's Gifts	Shopping Centre	Closed	B	8½	7.47		3.03	4.05			.18	14.73			
060 102 00900 0100 001M	Singer Co.of Canada	Shopping Centre	Closed	B	10	410.24		166.23	222.33			20.00	818.80			
060 102 00900 0101 001E	Singer Co. of Canada	Shopping Centre	Closed	B	10	33.85		13.71	18.34			1.70	67.60			

Schedule "H" to Report No. 64
(Page 5)

Page 4

ROLL NUMBER	NAME OF PERSON APPEALING	ADDRESS BEING APPEALED	REASON	B R C	# OF MOS.	GENERAL	GARBAGE	SECOND. SCHOOL	PUBLIC SCHOOL	SEPT. SCHOOL	DNTN. LEVY	PENALTY	CANCELLATIONS PUBLIC	CANCELLATIONS SEPARATE	REFUNDS PUBLIC	REFUNDS SEPARA
060 102 00900 0541 001M	Caplan's Gifts	Shopping Centr	Closed	B	8½	26.90		10.90	14.58			.46	52.84			
060 102 00900 0540 001F	Caplan's Gifts	Shopping Centr	Closed	B	8½	196.56		79.63	106.54			3.40	386.13			
060 102 00900 0550 001L	Darbyson Grant	Shopping Centr	Closed	B	8½	70.25		28.46	38.07			3.40	140.18			
060 102 00900 0551 001D	Darbyson Grant	Shopping Centr	Closed	B	8½	9.34		3.78	5.06			.44	18.62			
060 120 00200 0110 001E	Associates Finance	16 Bath	Closed	B	9½	322.04		130.45	174.55			11.78	638.82			
060 120 00200 0111 001L	Associates Finance	16 Bath	Closed	B	9½	15.45		6.26	8.37			.57	30.65			
070 050 11500 0020 001F	Margaret Hendry	294 Union	Closed	B	9	7.91		3.21	4.29			.36	15.77			
070 090 12900 0010 001M	Doug Rickaby	753 King W.	Moved	B	11	211.35		85.64	114.55			9.25	420.79			
070 110 10600 0000 000H	O. Prevost	Johnson	Parcel does not exist	R	12	27.80	2.92	11.26	15.07			1.42	58.47			
070 150 23486 0000 000F	Joe&Emmy Dieplinger	20 Richfield	Asst.Red.	R	12	74.00	7.78	29.98	40.11			3.80	155.67			
070 200 17600 0030 001F	Mr. D. Devonshire	546 Bath	Closed	B	10	40.45		16.39	21.92			.85	79.61			
070 200 17600 0031 001M	Mr. D. Devonshire	546 Bath	Closed	B	10	8.79		3.56	4.77			.22	17.34			
						26501.56	521.17	10622.54	13121.11	924.80	1358.07	1227.28	41514.59	3478.84	9201.31	81.

Schedule "I" to Report No.64
(Page 1)

MAY 23 198

Alexander V. Crate Consultants

250 Consumers Road
Suite 1100
Willowdale, Ontario M2J 4V6
Tel. (416) 494-3254

May 20, 1980

The City of Kingston
City Hall
Kingston, Ontario

Attention: Mr. R. Hamilton
Chief Administrative Officer

Dear Mr. Hamilton,

On February 21st last I was pleased to visit the City and to meet with Mr. Muirhead and yourself to assist you in an appreciation of certain aspects of achieving a downtown revitalization project.

Following that meeting the City kindly contacted me to enquire whether I would be interested in submitting a proposal along with other consultants to act for the City in the several matters related to a revitalization proposal which you had received. I declined on the basis that I have not to date found it necessary to enter into such competition and would prefer not to do so.

At your request, as well as that of the Mayor and others, I returned to Kingston on April 2nd and was consulted on a wide range of matters relative to the Province's Downtown Revitalization Program, the proposal which the City had received from Chartwood Developments Limited and Eaton's and generally my experience and recommended procedures in implementing a substantial downtown project.

Being of the opinion that it is perhaps not unreasonable to submit an account for my second visit only to the City and for professional services rendered, I enclose herewith an invoice. I have charged only my normal daily rate and not for disbursements of train, taxis and lunch.

Although I offered to be of limited service to the City inasmuch as its examination and negotiations were concerned, I subsequently learned that another consultant had been engaged and accordingly I had no opportunity to recover even a portion of my expenses. I would like to be quick to say, however, that if the City feels otherwise, I will certainly understand and have no objection. But as you know two visits were paid to the City at the City's request and I certainly did volunteer that the first visit would be of no cost or obligation.

Yours sincerely,

A. V. Crate

AVC/gs
Encl.

Schedule "I" to Report No. 64
(Page 2)

Alexander V. Crate Consultants

250 Consumers Road
Suite 1100
Willowdale, Ontario M2J 4V6
Tel. (416) 494-3254

May 20, 1980

The City of Kingston
City Hall
Kingston, Ontario

Attention: Mr. R. Hamilton
Chief Administrative Officer

INVOICE

For Professional Consulting Services provided to the City of Kingston on April 2, 1980 relative to Downtown Revitalization $600.00

Schedule "J" to Report No. 64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 23rd, 1980

SUBJECT: Contract 80-8W
Construction of Sanitary Sewers and Services in Counter Street and Easement (would serve KIMCO and Alcan Industrial land).

ORIGIN: Public Works Department

ANALYSIS: Eight tenders were received as summarized below:

Gordon Barr Limited	$57,935.00
Hugh-Mac Construction Limited	$59,876.00
Hemlock Construction Limited	$62,155.63
Taggart Construction Limited	$74,747.00
Donald A. Foley Limited	$77,796.00
Amherst Construction Limited	$79,645.50
Korsan Contractors Limited	$87,360.00
Hugh M. Grant Limited	$88,000.00

Gordon Barr Limited, the lowest tenderer, is a long established firm in Kingston and has carried out a substantial amount of sewer installation within the City.

EXISTING POLICY: The lowest tender is normally accepted unless there is justification for doing otherwise.

FINANCIAL: These works are fully approved and were part of the 1979 Capital Budget.

RECOMMENDATION: That the tender of Gordon Barr Limited in the amount of $57,935.00 to construct sanitary sewers and service in Counter Street and easement be accepted being the lowest tender received.

D. Graham, P. Eng.
Commissioner of Works

JMC:JC

Schedule "K" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: July 23rd, 1980

SUBJECT Reconstruct concrete sidewalk (1.83 m.) in Ontario Street, east side from 40.23 m. south of Barrack Street southerly 20.24 m.

ORIGIN Public Works Department.

ANALYSIS The above section of sidewalk is in very poor condition and is located immediately south of the Wolfe Island Ferry dock. Pedestrian traffic is considerable.

The only owner, Shell Canada Limited, refused to sign the petition.

EXISTING POLICY Reconstruction of sidewalks in commercial areas are carried out under the provisions of the Local Improvement Act.

FINANCIAL Adequate funds are available in 1980 Capital Budget.

RECOMMENDATION That, since the condition of the sidewalk is hazardous and pedestrian traffic is considerable, a by-law be passed to authorize the reconstruction of the concrete sidewalk (1.83 m. wide) in Ontario Street, east side from 40.23 m. south of Barrack Street southerly 20.24 m. under the provisions of section 8 of the Local Improvement Act.

Costs are:

Total estimated cost	$1,750.00
Owner's share	$ 875.00
City's share	$ 875.00
Debenture amount	$1,750.00

D. Graham, P. Eng.
Commissioner of Works

PL;JC

Schedule "L" to Report No. 64
(Page 1)

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Reconstruct concrete sidewalk (2.0 m wide) in Princess St n/s from Victoria St easterly 57.60 m.
Origin	Public Works Department
Analysis	The above described sidewalk is now in very poor condition. The grade is uneven with ponding in several spots. This is hazardous especially in cold weather. The only two owners, however, both are reluctant to sign the petition.
Existing Policy	When a sidewalk in a commercial area requires reconstruction, it is carried out under the Local Improvement Act.
Financial	Adequate funds are available in the 1980 Capital Budget.
Recommendation	That, since the condition of the sidewalk is hazardous and Princess St is a main business street, a by-law be passed to authorize the reconstruction of the concrete sidewalk (2.0 m wide) in Princess St., n/s from Victoria St easterly 57.60 m under the provisions of Section 8 of the Local Improvement Act.

Costs are -

Total estimated cost	$5,300.00
Owners' share	2,279.64
City's share	2,722.36
M.T.C. subsidy	298.00
Debenture amount	5,002.00

DG/gg

D. Graham, P.Eng
Commissioner of Works

Schedule "M" to Report No.64
(Page 1)

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer.
FROM:	Douglas R. Fluhrer, Commissioner, Parks & Recreation.
DATE:	July 23, 1980
SUBJECT:	TENDER 80-34 - CONCESSIONARY RIGHTS THROUGHOUT CERTAIN CITY PARKS & PROPERTY
ORIGIN:	Department of Parks & Recreation
ANALYSIS:	As per Council's approval and as per the conditions attached, the City called tenders for Mobile Food Service to areas of the City Parks Department and some other City properties that do not have such service, and from time to time would benefit from such a service (i.e. Sports Fields, Outdoor Rinks, Special Events, etc.). It is made clear that certain areas are off limits unless a direct request is made by the City or approved by the City.
FINANCIAL CONSIDERATIONS:	While it was not the main purpose for the exercise, this will develop certain revenues for the Department's budget.
RECOMMENDATION:	It is recommended that the summary and recommendation of the Purchasing Department (see attached), and all the conditions, be accepted.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg

Schedule "M" to Report No.64
(Page 2)

file for opening date —

PARKS AND RECREATION
JUL 7 1980
REC'D.

INVITATION TO TENDER NO. 80-34

Kingston, Ontario.
July 2, 1980.

Gentlemen:

The Corporation of the City of Kingston invites stipulated sum proposals for consideration towards the entering of an agreement for the granting of certain concessionary rights for the Provision of Food and Beverage Services throughout certain City Parks and property and based more particularly on the terms, conditions, etc. as expressed or implied by the enclosed suggested contract agreement.

INSTRUCTIONS TO BIDDER:—

1. Closing Date For Receipt Of Tenders

This tender form shall be returned in a sealed envelope plainly marked as to content, and shall be addressed to the City Clerk, City Hall, 216 Ontario Street, Kingston, Ontario. K7L 2Z3, and be dispatched to arrive not later than 12 o'clock noon (E.D.S.T.), Thursday, July 17, 1980.

2. No Tender Necessarily Accepted

In the reception of tenders, the Corporation incurs no obligation to accept the highest or any tender. The right to accept or reject any bid is reserved by the Corporation. Each tender shall be subject to acceptance by the Corporation for a peri not less than 30 days, from the closing date for the receipt of tenders at the amount submitted therein.

3. Contract Form

The form of contract which it is proposed the unsuccessful bidder will enter into with the Corporation shall be, in general, as per attached memorandum of agreemen The bidder may, however, submit with his tender, any variation to this for consideratio

NOTE:—

1. These "Instructions To Bidder", etc. are to be taken as forming an integral part of this tender.
2. The bidder should list below or by separate outline full details as to the extent of facilities, equipment and services which he proposes to provide.

Schedule "M" to Report No. 64
(Page 3)

PAGE TWO

INVITATION TO TENDER NO. 80-34

OFFER

The undersigned submits for consideration the herein proposal and agrees to supply the services as outlined and offers the sum of $_______________ in consideration for the granting of Concessionary Rights as embraced within the term, and conditions, etc. as expressed or implied herein.

SIGNED ________________________

PER ________________________

TITLE ________________________

(All questions respecting the foregoing should be addressed to Mr. D. Fluhrer, Commissioner of Parks, City Hall, 216 Ontario Street, Kingston, Ontario, K7L 2Z3. Phone 546-4291, extension 225).

No notation calculated or intended to change or alter any of the context herein shall be made to the form by the tenderer.

All points as may be intended to reflect changes shall be clearly set out in a separate letter which shall be appended hereto.

Schedule "M" to Report No. 64
(Page 4)

THIS AGREEMENT made in duplicate the day of , A.D., 198 .

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter referred to as the "City")
OF THE FIRST PART

- and -

____
(hereinafter referred to as the "Concessionai
OF THE SECOND PART

WHEREAS the City has under its control or ownership, a number of parks and properties upon which baseball, softball, soccer and other related recreational activities, including outdoor rinks, and other special events, as requested and approved of by the City, excluding those locations shown on the attached Schedule "A" to this Agreement;

AND WHEREAS the City considers it to be appropriate to tender in order to have one company or organization providing food and beverage services under a general concessionary arrangement satisfactory to the City;

AND WHEREAS the Concessionaire has submitted a tender in the form attached hereto as Schedule "B", which has been accepted by the City, subject to the Concessionaire entering into an agreement containing the following conditions:

NOW THEREFORE THIS AGREEMENT WITNESSETH that in considera tion of the sum of ______________________________ and in consideration of the following terms and conditions.

the Parties hereto covenant and agree as follows:

1. The City hereby awards to the Concessionaire the exclusive rights of providing food and beverage services for the sum of ______________________________ now paid by the Concessionaire to the City, subject to the conditions hereinafter provided for.

2. This grant of concessionary rights shall be for the time period of July 15th, 1980 to June 30th, 1981.

3. The concessionary rights hereby granted to the Concessionaire, shall apply in respect of activities on city-owned properties excluding those listed in Schedule "A".

4. The Concessionaire shall satisfy the City that all health regulations and requirements under The Public Health Act and under local by-laws have been met.

5. The Concessionaire shall satisfy the City that all required licences from all levels of Government and all required fees have been paid.

6. The Concessionaire shall comply with all applicable safety regulations.

7. The Concessionaire shall operate the concession business on the City properties in an orderly manner, to the satisfaction of the City, and shall ensure that all locations where concessions are operated are left in a neat and tidy condition, to the satisfaction of the City.

8. In the event that any claim, action, or suit arises as a result of the operation of this concession, the Concessionaire hereby agrees to save harmless and indemnify the City from all such claims, actions or suits.

9. The Concessionaire shall provide the City with proof of Liability Insurance which is an amount to satisfactorily protect against liability claims arising in an amount required by the City, and the City shall be named as a party insured.

10. The Concessionaire agrees that no liquor is agreed to as part of this concession, and shall not be provided.

11. The City shall supply the Concessionaire with notice of special events a reasonable time in advance of the special event, and the Concessionaire shall provide concession facilities for such special event.

12. The City shall have the right to demand compliance with all terms and conditions of this agreement. Should the Concessionaire fail to comply with the terms of this agreement, he shall be given one week's notice in order to correct failing which The Corporation of the City of Kingston may provide one week's notice to the Concessionaire of termination of this agreement.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their corporate seals, attested by by the hands of their duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY O
KINGSTON
)
) Mayor
)
) City Clerk
)
)
)
)
) Per:
) Per:
)

SCHEDULE "A"

Lake Ontario Park

Portsmouth Olympic Harbour

Richardson Beach area (unless requested)

Municipal Golf Course (Cataraqui Park, Montreal Street)

Cook and Elmer Youth Centres (when City-operated canteens are open)

Centennial Park and Confederation Basin (unless requested)

Kingston Community Centre grounds (unless requested)

Garrigan Park (unless requested).

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Director of Purchasing.

PARKS AND RECREATION
JUL 21 1980
CITY HALL
KINGSTON, ONTARIO
REC'D.
(613) 546-4291

MEMORANDUM

TO: D. R. Fluhrer, Commissioner of Parks & Recreation

FROM: R. J. Plumley, Purchasing Dept.,

SUBJECT: Tender 80-34 - Concessionary Rights Throughout Certain City Property

DATE July 21, 1980.

Dear Mr. Fluhrer:

Two bids only, as set out hereunder, have been received in response to the subject tender.

NAME	OFFER
Donald Dennee	20% of gross
Garth Badgley	5% of gross

Copies of both tenders are attached, which provide an outline of the service and facilities each bidder proposes to supply.

I would recommend for consideration that the tender of Donald Dennee be accepted, offering the higher percentage of the two bids received and provided that the City Solicitor could confirm that there are no rules, regulations, by-laws, or policies that would prohibit a city employee from being awarded this tender.

Yours very truly,

R.J. Plumley

R. J. Plumley,

RJP/vn

cc. B. Cousins,
R. J. Hamilton,
N. Jackson.

NOTE:
Number of Invitations Sent - Twelve
Dates of Advertising - July 9, 12 and 14, 1980
Date of Mailing - July 7, 1980
Date of Closing - July 17, 1980

AND
PARKS JUL 23 1980 RECREATION
REC'D.

ffice of the
ity Solicitor
ur Ref: L-16

MEMORANDUM

O: Mr. D.R. Fluhrer
Commissioner of Parks and Recreation

ROM: Lois Payne
Legal Department

ATE: July 23, 1980

E: Tender 80-34 - Concessionary Rights Throughout
certain City property

There is nothing in The Municipal Act which specifically roclude s the formation of secondary contracts between a municipality nd its employees, nor does The Municipal Conflict of Interest Act pply to such a situation. By-law No. 4 of The Corporation of the ity of Kingston which sets out conditions of employment also does ot specifically proclude the formation of such a contract.

Since Mr. Dennee is neither a council member nor an fficer of the Corporation there appears to be no legal policy which ould prohibit a contract between the City and a City employee such s Mr. Dennee provided that all the proper procedures for the ormation of such a contract are followed.

Lois Payne

P/nr

Lois Payne
Legal Department

Schedule "N" to Report No.64
(Page 1)

MEMORANDUM

TO:	Mayor K. Keyes
FROM:	Douglas R. Fluhrer, Commissioner, Parks & Recreation Department
DATE:	July 23, 1980
SUBJECT:	WAIVER OF FEES - CITY PARK RECREATION CENTRE - SUNDAY, AUGUST 17/80 - 11:00 A.M. - 4:00 P.M.
ANALYSIS:	See attached letters (a)- Mayor's, (b) - Mrs. Klodawsky's
FINANCIAL CONSIDERATIONS:	For the time they require the facility, the cost implication of waiving the charge would be $20.00.
RECOMMENDATION:	This request causes no problems, and will make an interesting day for the public. It is recommended charges be waived.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachments: 2

July 15, 1980.

Ms. F. Klodawsky,
16 Dedrick Drive,
Kingston, Ont.

Dear Ms. Klodawsky:

I acknowledge receipt of your letter written on behalf of the Organizing Committee of the Kingston Women's Arts Festival, in which you request financial assistance of approximately $88.00 in order to cover printing costs and renting of the pavilion in City Park.

It is not the custom of the city to make grants towards organizations such as yours for such items as printing costs, although specific request for waiving the rental fee for the pavilion might well be considered favourably by the administrator and the council, due to the type of project that you are proposing However, rental fees are usually only waived for genuine non profit organizations and it would appear that in this case there is a commercial aspect to the festival, in that you are selling crafts a percentage of which will be donated towards the operation of running Interval House and the Rape Crisis Centre.

The city indeed supports these two institutions to a very large degree and therefore should not be expected to make additional contributions to their operation or to the operation of supporting organizations. In the current year financial assistance is being given to the Rape Crisis Centre in the amount of $1,000. and to Interval House in the amount of $35,000., I think you would agree that this is a substantial contribution of taxpayer dollars to these two worthwhile organizations.

Have you considered approaching a Kingston organization known as the Kingston Arts Council which while not accustomed to making grants to organizations, might well consider a small contribution?

Should you desire to have me send a request on to council for waiving the fee for the pavilion in City Park, I would be pleased to do so following discussions with Mr. D. Fluhrer, Parks and Recreation Commissioner.

Sincerely,

Ken Keyes
Mayor

KK:a

June 25, 1980

To The Mayor and City Council:

I am writing this letter on behalf of the Organizing Committee of The Kingston Women's Arts Festival. We are an ad hoc committee of women who have initiated the planning of a one day women's arts (i.e. poetry reading, crafts, dancing, music, etc.) festival for Kingston, on August 17.

We have done so for two reasons, principally. Firstly, we thought that this festival would be an excellent way to establish links among women artists in the Kingston area. Secondly, we decided that it would also be a useful way to raise money for two Kingston institutions devoted to women's problems, namely, Interval House and The Rape Crisis Centre. This will be done by requesting that 20% of all profits on the sales of crafts and on charges for various entertainments, be given to them.

Since the City supports these two institutions, we are writing to request funds from the City as an aid to organizing the festival. Specifically, we would like the City to pay the printing costs and cost of renting the pavilion in City Park. The rental fee will be $20.00 ($4./hr X 5 hours), and the printing cost for 500 card stock posters on colour background is $68.00, at the cheapest quotation price. Such financial support would help the Committee greatly.

Thank you for your consideration of this request. I hope to hear from you very shortly.

Sincerely,

F. Klodawsky,
16 Dedrick Drive,
Kingston, Ontario.
613 - 544-3831

Schedule "O" to Report No.64
(Page 1)

MEMORANDUM

O: R. J. Hamilton, Chief Administrative Officer

ROM: D. Graham, Commissioner of Works

ATE: July 24th, 1980

UBJECT Tender 80-29 Hopper Type Aggregate Material Spreaders.

RIGIN Public Works Department

NALYSIS All our sanders are the type that apply the sand at the rear. Two of them were badly rusted and their replacement was included in the 1980 Current Budget.

It was proposed that one of the new sanders spread sand at the front to provide better service on the hills when glare ice conditions prevail.

Attached is a summary of tenders, a recommendation for consideration by Mr. Plumley of the Purchasing Department and comments by Mr. de Lugt, Deputy City Engineer. In addition to the material provided by the tenderers, the Larochelle machine was demonstrated. Considering the additional protection the Maglar tender provides to the vehicle and to the public as well as its satisfactory performance in wide areas of the Province with spare parts readily available, the acceptance of the slightly higher tender (1% higher) of Maglar is justified. We concur in the recommendation of the Director of Purchasing.

XISTING POLICY Accept the lowest tender unless there is justification for doing otherwise.

INANCIAL The net cost of accepting the recommendation from Purchasing is $12,154.13 which is $1,204.13 over the budget provision. There was a $280 saving on the sweeper. There are a number of vehicles to be purchased in the fall. Acceptance of the sander tenders should not be delayed and any adjustment required should be made in the vehicles bought later this year, when we see how their tenders relate to the budget appropriation.

ECOMMENDATION That the tender of Marmac Hydraulics for the supply of one Maglar ML8S Hopper Type Aggregate Material Spreader for dump body mounting and of Maglar Equipment Limited for one King-Seagrave K-61-1 Hopper Type Aggregate Material Speader for chassis mounting in the aggregate amount of $12,154.13, being the net aftertrade, be accepted on the basis that the former is the lowest tender and the latter provides additional protection as well as having an excellent reputation in the Province and that the cost be a charge against Equipment Replacement 314-81.

D. Graham, P. Eng.
Commissioner of Works

ttachment

G:JC

JUL 23 1980

# SUMMARY OF TENDER NO. 80-25
for
HOPPER TYPE AGGREGATE MATERIAL SPREADERS

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 12

DATE OF CALLING: June 17, 1980
DATE OF CLOSING: July 2, 1980
NO. OF TENDERS RECEIVED: 5

ITEM	QUANTITY	DESCRIPTION	(1) OTTAWA TRUCK BODIES	(2) MARMAC HYDRAULICS	(3) CRAIG CONST. EQUIPMENT	(4) MAGLAR EQUIP.LTD.	(5) DUKE LAWN EQUIP.LTD.
1	1	(New) Hopper Type Aggregate Material Spreader - dump body mounting.	$ 6,580.00 ($ 6,280.00)	$ 5,995.00 ($ 5,395.00)	NO	$ 6,107.00 ($ 5,607.00)	$ 7,050.00 ($ 7,050.00)
		MAKE	Industech	Maglar		Maglar	Dumco
		MODEL #	EPSB-800	ML8S		ML8S	750
2	1	(New) Hopper Type Aggregate Material Spreader - chassis mounting.	$ 7,456.00 ($ 7,156.00)	$ 7,995.00 ($ 7,395.00)	$ 6,400.00 ($ 5,900.00)	$ 6,464.00 ($ 5,964.00)	$ 7,200.00 ($ 7,200.00)
		MAKE	Industech	Maglar	Larochelle	King Seagrave	Dumco
		MODEL #	EPST-800	ML8C	DC-900	K-61-1	810
3	2	Less Trade Allowance For - 1971 Swenson Sanders	$ 600.00	$ 1,200.00	$ 500.00 One 1971 Swenson	$ 1,000.00	Included
		FEDERAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt
		PROVINCIAL SALES TAX	$ 940.52	$ 895.30	$ 413.00	$ 809.97	$ 997.50
		TOTAL DELIVERED PRICE	$14,376.52	$13,685.30	$ 6,313.00	$12,380.97	$15,247.50
			Note-Del. Sept.15-30/80		Incomplete		

NOTE: (   ) Figures in brackets indicate net price after trade, PST extra.

..../PAGE TWO

SUMMARY OF TENDER NO. 80-29

RECOMMENDATION

It is recommended for consideration that the bid be awarded, in part, as follows:

ITEM # 1 - To bidder # 2, Marmac Hydraulics, in the amount of $5,772.65 T.I.D. delivered, being the lowest bid received.

Recap Item # 1 - Marmac Hydraulics	
One Maglar ML8S Spreader	$5,995.00
Trade-In Allowance	$ 600.00
Net Difference	$5,395.00
Provincial Sales Tax	$ 377.65
TOTAL T.I.P. DELIVERED	$5,772.65

ITEM # 2 - To bidder # 4, Maglar Equipment Limited, in the amount of $6,381.48 T.I.P. delivered, being the 2nd lowest bid received. (Please see attached memorandum from Gerald DeLugt, Deputy City Engineer).

Recap Item # 2 - Maglar Equipment Limited	
One King Seagrave, K-61-1 Spreader	$6,464.00
Trade-In Allowance	$ 500.00
Net Difference	$5,964.00
Provincial Sales Tax	$ 417.48
TOTAL T.I.P. DELIVERED	$6,381.48

Respectfully submitted,

R. J. Plumley,
Purchasing Department.

RJP/vn
Encl.

3060/4

To: R.Plumley, Purchasing

JUL 23 1980

From: G. de Lugt, Deputy City Engineer

Date: July 22, 1980

Re: Aggregate Spreaders

Of the dump body mounted spreaders we support acceptance of the Maglar ML8S as offered by Marmac Hydraulics and by Maglar Equipment Ltd.

Of the chassis mounted spreaders our preference goes to the second lowest bid submitted by Maglar, rather than to the Larochelle offered by Craig Construction Equipment for the following reasons:

1. It comes fitted with substantial overhangs to protect the cab and the rear of the vehicle - Larochelle does not have this.

2. Its standard equipment includes front and rear blue flashing lights - Larochelle's offer includes an optional rear mounted flasher only.

3. Its weight is given as 4300 lbs. against larochelle's 3500 lbs.

4. It is manufactured in Woodstock, Ontario, and is widely used throughout the Province with excellent reputation for service, spare parts availability etc. Larochelle is made in Quebec, also has a good name but is not nearly as widely used in Ontario.

5. The net price difference between the two offers is $64.00 plus provincial tax and the above enumerated advantages of the second lowest offer fully justify this rather marginal extra cost.

I herewith return the tender file.

G. de Lugt, P.Eng
Deputy City Engineer

gd/gg
Encl.
copy to D.Graham
Commissioner of Works

Schedule "P" to Report No.64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: July 24, 1980

SUBJECT: VANDALISM - NEWLANDS PAVILION

ORIGIN: Department of Parks & Recreation

ANALYSIS: On July 16, 1980, sometime during the early morning hours, this facility was maliciously vandalized. As well, our famous lion, which stands nearby, had a gallon of yellow paint poured over its entire shape and platform. Again, on July 23, 1980, we found further and extensive damage had been done (approximately 40 more broken railing spindles).

The two principal things done to the Pavilion were:

(i) Aluminum paint, applied by brush, to the columns, railings, floor and seats.

(ii) Approximately 85 hand-turned, wooden railing spindles were smashed out.

FINANCIAL CONSIDERATIONS: At present, and to the best of our ability to estimate repairs, it appears $3,500. to $4,000. will be required to put the Pavilion and lion back in order.

RECOMMENDATIONS:

1. Provide funds from Contingencies to cover the costs and get the job done immediately. I feel we must show good faith to all those people who donated their time and money to see this project through.

2. Urge, in strong terms, that the court authorities make those responsible for this act understand the seriousness of their deed.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Department

DRF/dg

Schedule "Q" to Report No.64
(Page 1)

MEMORANDUM

TO: Mayor K. Keyes

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department

DATE: July 23, 1980

SUBJECT: SCULPTURE - "FIRST SHIP" - ST. LAWRENCE COLLEGE

ANALYSIS: As per your instructions, I have met with Mr. Gaye Bullock, who has a piece of sculpture now located on the grounds of St. Lawrence College. Mr. Bullock must now move it and is looking for some suitable waterfront park in which to locate it.

Further, and as instructed, I have investigated the ways and means to move and base such a piece of work, and also I have discussed possible sites with Mr. Bullock. The structure is very sturdy and should withstand punishment.

FINANCIAL CONSIDERATIONS:

a. It is my understanding this is being offered to the City free of charge.

b. Mr. Bullock will assist the City in moving it (provide truck and crane), and design base.

c. Outside cost to the City should be approximately $700.00.

RECOMMENDATION:

1. If Council wishes to accept this gift, I offer the following possible sites for consideration, and in order of priority as I see them.
   a. Belle Island Drive Park - midway between the island and Montreal St.
   b. Orchard Street Park
   c. Dry Dock
   d. Lake Ontario Park.
2. I would warn St. Lawrence College this is done without prejudice, as they may go on producing many such works of this size, and we cannot go on accepting and housing all of them. This one has a water - ship theme which is appropriate in Kingston, and its lines are rather formal and pleasing.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.
DRF/dg

Schedule "R" to Report No. 64
(Page 1)

o to	Mr. R.J.Hamilton, Chief Administrative Officer
e	July 24, 1980
ject	Account exceeding authorization.
gin	Public Works Department
lysis	A problem developed with the automatic transmission in truck #355. The Shop Foreman, as is often done to speed up the repair, made telephone enquiries as to when and how much. On the basis of a verbal estimate of about $600. to repair the transmission the truck was sent out. The repairs were made without further consultation. The parts removed for replacement were made available to the Foreman when the work was done. The cost of the new parts was $1135.18 and labour $270.00 for a total of $1405.18. The Foreman is satisfied that the parts supplied and installed were needed.
sting Policy	To obtain three written quotes, if possible, for work having an estimated cost of between $500. and $5,000.
ancial	Funds for repair are accumulated by an hourly charge for use of equipment in an equipment account.
ommendation	That payment of the account of Kingston Automatic Transmission Ltd be authorized in the amount of $1405.18 for repairs, it being noted that the Shop Foreman has been directed in writing to follow the procedure set out in By-law No. 1 for purchase of supplies.

gg

D.Graham, P.Eng
Commissioner of Works

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 24, 1980

Subject City Yard Improvements

Origin Public Works Department

Analysis Improvements are proposed in four areas -

1. Dispensing of gasoline
2. Equipment repair shop
3. Stores
4. Lunch Room including Locker Room and Wash Room

Dispensing of Fuel for Equipment

The existing gasoline pump is located at the north wes corner of the main yard building. The location is suc that vehicles must approach it in single line or one side only. It is within 5 feet of the building and a potential fire hazard. There are occasional mechanica problems with the pump. The tank is not new. On occasions there is a line-up for gasoline. The propos is to locate three new tanks and two double pumps on a pump island 60' south of the main building so that vehicles may approach and fill two to four at a time. One dual pump will be for gasoline and the other for diesel fuel. The estimated cost of this improvement i $20,000. It has the approval of the Fire Chief. A suggested change made by Local #109 has been incorpora

Equipment Repair Shop

The present shop area is in the north/west corner of t Yard Building. It was fomerly vehicle storage. This is a very crowded area and ventilation is poor. Enlarg ment to the south is limited by the need for Lunch Ro space. The only direction to expand to any extent is the east into a vehicle storage area for equipment. T area does not have a good floor.

The proposal is for a small expansion to the south int part of the present Lunch Room and a major expansion t the east. The former is mainly the relocation of partitions. The latter includes a concrete floor plus lighting and ventilation improvements.

The estimated cost of this improvement is $10,000.

Stores

The present stores area is crowded and in a location that would make the most practical Lunch, Locker, and Washroom Area. In 1974 an addition was added along half of the east side of the yard building. The proposal is to complete this addition which would be 48' x 71' and involves only two walls, an east and a north wall. This will provide ample stores space plus storage for two vehicles.

The estimated cost of this improvement is $54,000.

............./2

Schedule "S" to Report No. 64
(Page 2)

ysis(cont'd)

Lunch Room Including Locker Room and Wash Room

The present Lunch, Locker and Wash Room leaves much to be desired. Ventilation is poor. Lighting is inadequate. There are no windows to the outside. At times conditions are crowded.

The proposal is to move the Lunch Room to the present stores area to provide a bright, well ventilated, roomy lunch area. The Locker Room and Wash Room would occupy part of the present Lunch Room and Stores Area.

For the remaining funds available ($15,000.) redundant partitions could be removed, a new Wash Room constructed and in the Lunch Room floor repairs and remodelling of the west wall completed. Estimated cost $15,000.

The 1980 Capital Budget provides $99,000.

New Pump Island	$20,000.
Garage floor etc	10,000.
New Stores	54,000.
Partial remodelling- Lunch Room	15,000.
	$99,000.

Work to be Completed

1.	Complete the Lunch Room	$12,500.
2.	New furnishings for Lunch Room	4,000.
3.	Extend the Locker Room	2,000.
4.	Extend garage into old Lunch Room	4,000.
5.	External finishes of altered facades	1,500.
		$24,000.

ncial

The 1980 Capital Budget includes $99,000. for Yard Improvements and the work that could be done has been outlined. It is proposed to report to Council in October any means there may be to finance part or all of the remaining $24,000.

mmendation

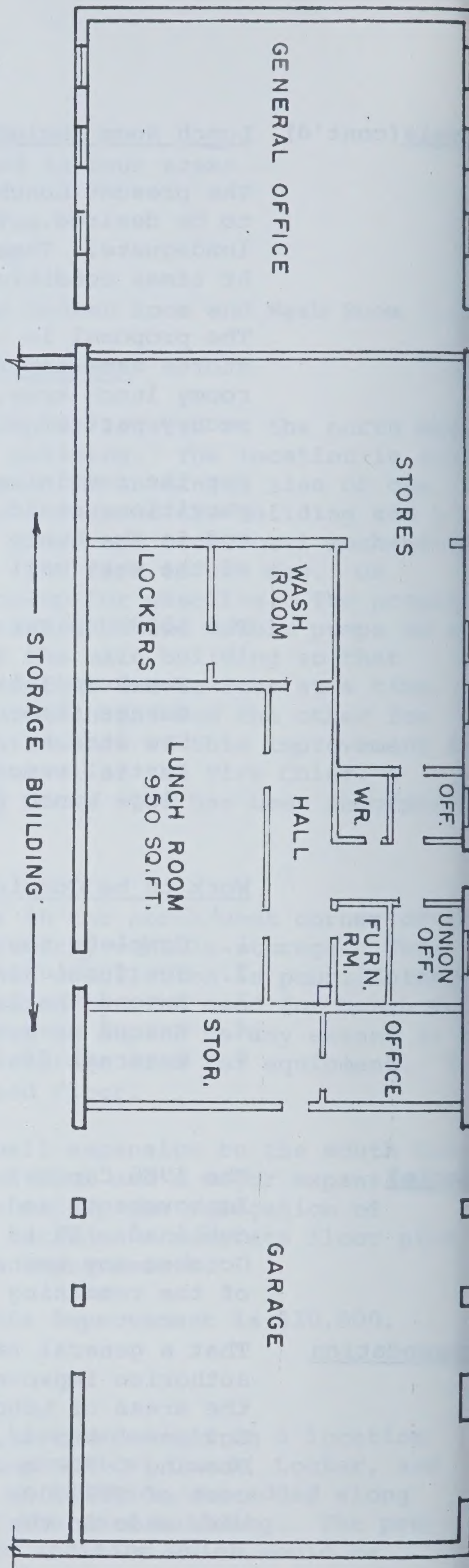
That a general rate construction By-law be passed to authorize improvements to the Public Works Yard in the areas of Lunch, Locker and Wash Rooms, Stores, Equipment Repair, and Dispensing of Fuel, as shown on Drawing C-50P and attached sketch, at an estimated cost of $99,000. provision for this expenditure having been made in the 1980 Capital Budget.

g

D.Graham, P.Eng
Commissioner of Works

Schedule "S" to Report No.63
(Page 3)

WORKS DEPARTMENT
LUNCH ROOM IMPROVEMENTS
1980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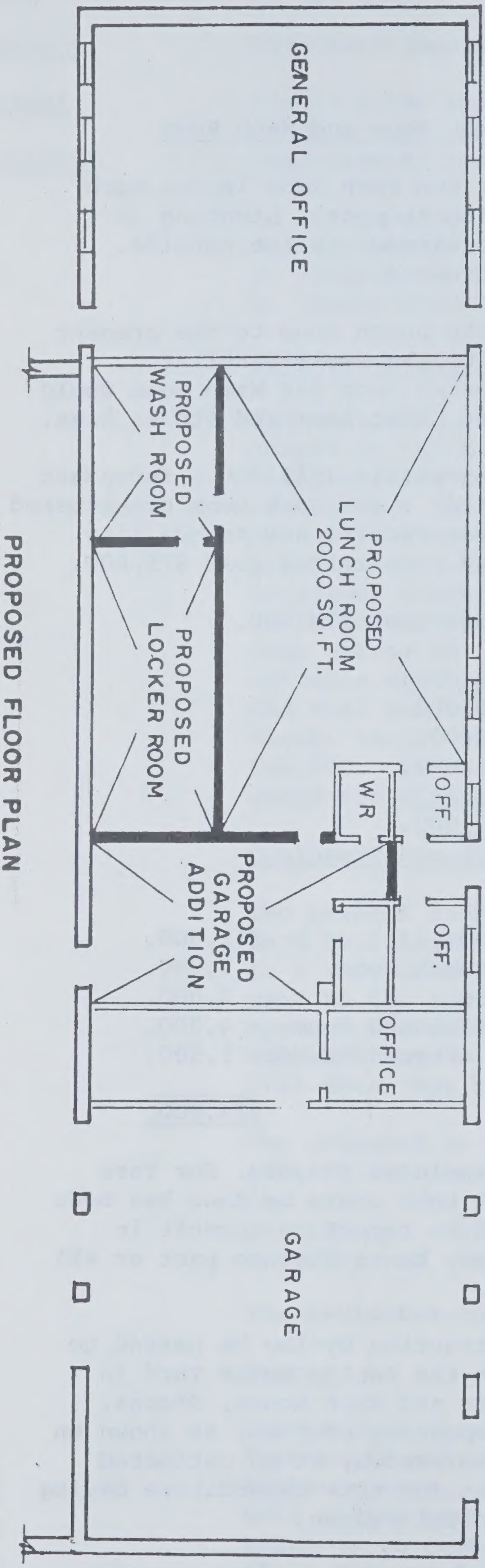
WASH ROOM
LOCKERS
HALL
WR.
OFF.
LUNCH ROOM 950 SQ.FT.
UNION OFF.
FURN. RM.
OFFICE
STOR.
GARAGE
STORAGE BUILDING

EXISTING FLOOR PLAN


GENERAL OFFICE
PROPOSED LUNCH ROOM 2000 SQ.FT.
PROPOSED WASH ROOM
PROPOSED LOCKER ROOM
OFF.
WR
OFF.
PROPOSED GARAGE ADDITION
OFFICE
GARAGE

PROPOSED FLOOR PLAN

N.T.S.

Schedule "T" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: June 20, 1980

SUBJECT: FREE ALL-DAY PARKING FOR CAR POOLS

ORIGIN: Notice of Motion
"Moved by Alderman Knapp,
Seconded by Alderman Gerretsen,

WHEREAS a large number of vehicles enter and remain in the City each working day;

WHEREAS the majority of these vehicles transport only one person;

WHEREAS encouragement of car pools would be beneficial in terms of energy conservation;

WHEREAS the resulting reduction of cars coming into the City would alleviate traffic congestion at rush hours;

WHEREAS parking requirements would also be reduced;

THEREFORE BE IT RESOLVED that a downtown lot (with attendant) be designated as a 'free, all day parking lot', providing the stipulation that each vehicle entering the lot must contain at least three persons, is met."

ANALYSIS: (1) The City has three attendant parking lots and garages:

(a) Chown Memorial Lot;
(b) Robert Bruce Memorial Garage;
(c) Hanson Memorial Garage;

(2) The Chown Lot and Robert Bruce Garage operate at capacity and have no monthly parking permits.

(3) (a) The Hanson Garage does not operate at capacity, and, therefore, forty monthly parking permits have been issued at $35.00 per month. A few of these monthly parkers are part of a car pool system now.

(b) The Hanson Garage has a projected 1980 deficit of about $24,000.00.

(c) The forty monthly parking spaces are surplus and could be used by those in car pools until hourly users increase.

(4) Free parking for car pools could attract passengers from the transit system, thus increasing the transit deficit and increasing the need for additional parking downtown.

ALTERNATIVES:
(1) Use of transit (which would lessen the transit deficit).

(2) Free parking near city limits and reduced commuter transit fares (possibly monthly transit passes) sometimes known as *"Park and Ride"* and *"Kiss and Ride"*.

Schedule "T" to Report No.64
(Page 2)

SUBJECT: FREE ALL-DAY PARKING FOR CAR POOLS . continued

FINANCIAL CONSIDERATIONS: (1) The removal of the forty monthly parking permits would increase the annual deficit of the Hanson Garage by $16,800.00 for a total deficit of $40,800.00.

RECOMMENDATIONS:

(1) That no action be taken on the Notice of Motion.

(2) That the Public Utilities Commission be requested to consider discounted monthly transit passes for the following reasons:

(a) encourage increased useage of transit;
(b) convenience, as no exact fare is required;
(c) boarding time is reduced by monthly pass user
(d) transfers are not required;
(e) monthly pass riders would have a greater commitment to and identification with the bus system;
(f) beneficial energy conservation;
(g) downtown parking needs reduced.

Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Clerk
Our Ref. No. 21-5

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

M E M O R A N D U M

TO: K. G. Linseman,
Traffic, Streets and Parking Administrator.

FROM: M. C. Healy,
City Clerk.

DATE: March 6th, 1980

RE: Free All-Day Parking
- Car Pools

The following Notice of Motion was presented at the regular meeting of City Council held March 3rd, 1980:

"Moved by Alderman Knapp,

Seconded by Alderman Gerretsen,

WHEREAS a large number of vehicles enter and remain in the City each working day;

WHEREAS the majority of these vehicles transport only one person;

WHEREAS encouragement of car pools would be beneficial in terms of energy conservation;

WHEREAS the resulting reduction of cars coming into the City would elevate traffic congestion at rush hours;

WHEREAS parking requirements would also be reduced;

THEREFORE BE IT RESOLVED that a downtown lot (with attendant) be designated as a 'free, all day parking lot', providing the stipulation that each vehicle entering the lot must contain at least three persons, is met."

This Notice of Motion has been referred to you for a report thereon to the Chief Administrative Officer as soon as possible in order that Council may consider your report with the Notice of Motion at a subsequent meeting.

MCHealy

M. C. Healy,
City Clerk.

MCH:jm

c.c. Mr. R. J. Hamilton, Chief Administrative Officer.

Schedule "U" to Report No. 64
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 25, 1980

Subject Amendment to Contract 80/4W (Improvements to Quebec and Cherry Streets)

Origin Public Works Department

Analysis Under Contract 80/4W the contractor is required to install a new storm sewer system on Cherry St between Quebec and Pine Sts. Because of the narrow width of roadway and the existing underground and aboveground plant, it was necessary to place the new storm sewer in close proximity to the existing 12" diameter vitrified clay combined sewer which was installed prior to 1900. Approximately 33' of combined sewer within the intersection has been replaced under the contract in order to improve the alignment. It has been found that the remaining combined sewer is collapsing as the storm sewer installation proceeds because of the age of the sewer and the disturbance of the soil which acts as a support to the sewer.

The contractor has offered to replace the portions of the sewer which collapse at a unit price of $45.00 per foot. This price is considered reasonable. The tender price for the 33' in the intersection was $70.00 per foot.

Financial The maximum cost of replacement on the basis of the unit price offered is calculated to be $9,225.00. There are sufficient funds in the By-law and in the contract extra work to cover this. Sanitary sewer replacement as part of sewer separation is not a Local Improvement.

Recommendation That Council authorize the amending of Contract 80/4W to add to Part "B" - Sanitary Sewers -

Item No.	Item	Unit	Quantity	Unit Price	Total
10(iv)	replace existing 12" Ø dia. combined sewer on Cherry St	lf	205#	$45.	$9,225.

# = This is estimated to be the upper limit of the required replacement. Payment shall be for the footage the Engineer requires the contractor to replace depending on the conditions encountered.

D.Graham, P.Eng
Commissioner of Works

DG/gg

Schedule "V" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, M.Sc., P. Eng.
Administrator

DATE: July 25, 1980

SUBJECT: TEMPORARY STREET CLOSING - Johnson Street, King Street, West Street, Court Street, Union Street, Country Club Drive and Old Oak Road

---

ORIGIN: Request from Mr. Rolf T. Lund, Associate Professor, Queen's University, School of Physical and Health Education

ANALYSIS:

1) The Queen's Track and Field Club propose to host a 10 Km Competitive Road Race on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon along the following 10 Km route as outlined on the attached map:

   Starting at West Campus Road near the Tennis Courts north to Johnson Street, east on Johnson Street to King Street, west on King Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to the Queen's West Campus entrance Finish on Queen's West Campus Road.

2) It is also proposed to hold a non-competitive family road race of 2.5 and 5 Km along the same route.

3) Arrangements have been made for police supervision.

4) The Parks & Recreation Department, who have been consulted endorses the road race.

5) Since the streets would be closed to traffic only for the period of time that it takes the runners to pass, and traffic volumes are low on these streets on a Sunday morning, no serious traffic problems are anticipated.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Queen's Track and Field Club to temporarily close the following streets on Sunday, September 14, 1980, from 10:00 a.m. to 12:00 noon, for the purpose of conducting a 10Km Competitive Road Race:

Start West Campus Road north to Johnson Street, east on Johnson Street to King Street, west on King Street to West Street, northwest on West Street to Court Street, west on Court Street to Union Street, west on Union

Schedule "V" to Report No. 64
(Page 2)

SUBJECT: TEMPORARY STREET CLOSING - Johnson Street, King Street, West Street, Court Street, Union Street, Country Club Drive and Old Oak Road continued

RECOMMENDATION: Street to King Street, west on King Street to Country Club Drive, north on Country Club Drive to Old Oak Road, northeast on Old Oak Road to Johnson Street, east on Johnson Street to West Campus entrance Finish on Queen's West Campus Road.

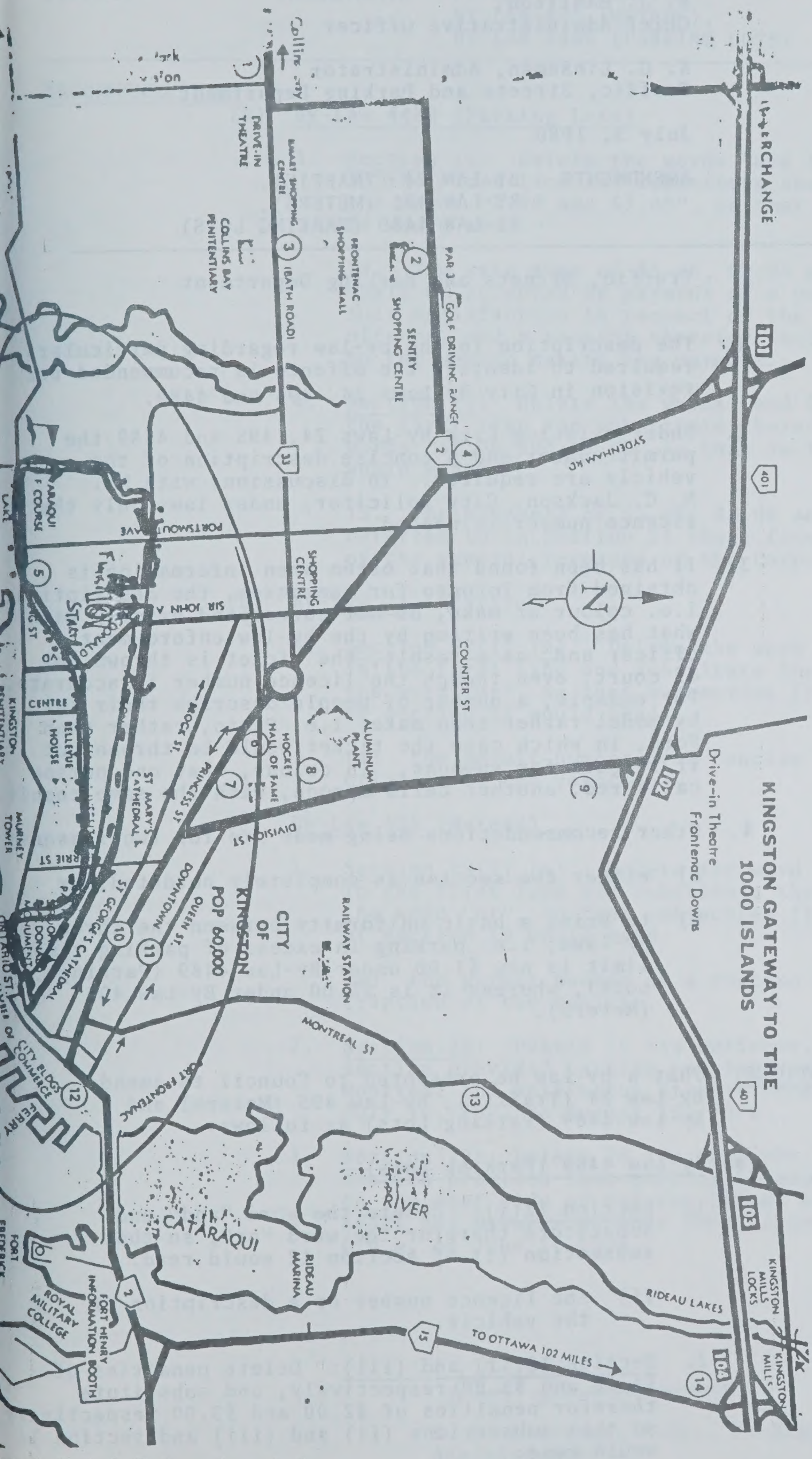
K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Attachment

Schedule "V" to Report No. 64
(Page 3)



INTERCHANGE
101
401
102
103
104
KINGSTON GATEWAY TO THE 1000 ISLANDS
Drive-in Theatre
Frontenac Downs
Collins Bay
DRIVE-IN THEATRE
SMART SHOPPING CENTRE
COLLINS BAY PENITENTIARY
(BATH ROAD)
FRONTENAC SHOPPING MALL
PAR 3
GOLF DRIVING RANGE
SENTRY SHOPPING CENTRE
SYDENHAM RD
PORTSMOUTH AVE
SHOPPING CENTRE
SIR JOHN A.
COUNTER ST
ALUMINUM PLANT
HOCKEY HALL OF FAME
DIVISION ST
PRINCESS ST
BROCK ST
ST. MARY'S CATHEDRAL
DOWNTOWN
QUEEN ST
CITY OF KINGSTON POP 60,000
RAILWAY STATION
MONTREAL ST
ST. GEORGE'S CATHEDRAL
CITY BLDG
COURT HOUSE
MURNEY TOWER
BELLEVUE HOUSE
KINGSTON PENITENTIARY
CENTRE
LAKE
FORT FRONTENAC
CATARAQUI RIVER
RIDEAU MARINA
RIDEAU LAKES
KINGSTON MILLS LOCKS
KINGSTON MILLS
TO OTTAWA 102 MILES
15
2
FORT HENRY INFORMATION BOOTH
ROYAL MILITARY COLLEGE
FORT FREDERICK
FERRY
START
FINISH
N

PROPOSED ROAD RACE

2.5km 5km 10km

Schedule "W" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 3, 1980

SUBJECT: AMENDMENTS - BY-LAW 24 (TRAFFIC),
- BY-LAW 495 (METERS),
- BY-LAW 4489 (PARKING LOTS)

ORIGIN: Traffic, Streets and Parking Department

ANALYSIS:

1. The description in the by-law regarding particulars required to identify the offence is recommended for revision in City By-Laws 24, 495 and 4489.
2. Under existing City By-Laws 24, 495 and 4489 the permit number and a concise description of the vehicle are required. In discussions with Mr. N. C. Jackson, City Solicitor, under law, only the licence number is needed.
3. It has been found that often when information is obtained from Toronto for summonses, the description, i.e. colour or make, do not correspond exactly with what has been written by the by-law enforcement officer and, as a result, the ticket is thrown out of court, even though the licence number is accurate. For example, a number of people describe their car by model rather than make; i.e. Pinto, rather than Ford, in which case the ticket would be thrown out if it goes for summons. In colour, what one person calls red, another calls maroon, with the same result
4. Other recommendations being made are for two reasons:
   a) either the section is completely outdated; or
   b) to bring a basic uniformity between the three by-laws; i.e. parking in excess of parking time limit is now $1.00 under By-Law 4489 (Parking Lots), whereas it is $3.00 under By-Law 495 (Meters).

RECOMMENDATIONS: That a by-law be presented to Council to amend By-Law 24 (Traffic), By-Law 495 (Meters) and By-Law 4489 (Parking Lots) as follows:

(a) By-Law 4489 (Parking Lots)

1. Section 12(i): Delete the word "and" and substitute therefor the word "or", so that subsection (i) of section 12 would read:

   (i) the licence number or a description of the vehicle.

2. Section 13(ii) and (iii): Delete penalties of $1.00 and $1.00 respectively, and substitute therefor penalties of $2.00 and $3.00 respectively so that subsections (ii) and (iii) and section 13 would read:

(ii)	Parking outside of designated parking space	$2.00
(iii)	Exceeding Parking Time Limit	$3.00.

Schedule "W" to Report No. 64
(Page 2)

SUBJECT: AMENDMENTS - BY-LAW 24 (TRAFFIC),
- BY-LAW 495 (METERS),
- BY-LAW 4489 (PARKING LOTS) continued

RECOMMENDATIONS:

(a) By-Law 4489 (Parking Lots)

3. Section 14: Delete the words "and $1.00" in the first line and substitute therefor the words "2.00 and $3.00", so that section 14 would read:

14. The said sums of $5.00, $2.00 and $3.00 shall be accepted as payment of a penalty in full satisfaction in respect of the alleged offence, and a receipt therefor shall be given to the person making the payment.

4. Section 15: Delete the words "and $1.00" in the first line and substitute therefor the words "$2.00 and $3.00" so that section 15 would read:

15. The payments of $5.00, $2.00 and $3.00 referred to in Section 14 shall form part of the general revenues of the Corporation.

(b) By-Law 24 (Traffic)

1. Section 22(1) (a): Delete the word "and" in the first line and substitute therefor the word "or", so that subsection (1) (a) of section 22 would read:

(a) the permit number or a concise description of the vehicle.

(c) By-Law 495 (Meters)

1. Section 19(1) (a): Delete the word "and" in the first line and substitute therefor the word "or", so that subsection (1) (a) of section 19 would read:

(a) the permit number or a concise description of the vehicle.

2. Section 20: Delete in its entirety. This section provided parking regulations on Montreal and Wellington Streets from July 16, 1972 to August 15, 1972.

3. Section 22: Delete in its entirety. This section provided that parking be prohibited on the east side of Ontario Street between Brock and Markets Streets from 12 noon to 6 p.m. on June 5, 1976.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "X" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 23, 1980

SUBJECT: PRINCESS STREET WIDENING PROJECT - Preformed Pliant Polymer Pavement Markings

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) 3M Canada Inc. have developed a pavement marking tape known as "Stamark" which has been used recently on Highway 401 in Toronto and some Metropolitan Toronto arterial streets.

2) The "Stamark" tapes are precoated with a pressure sensitive adhesive which can be applied mechanically and consists of high quality polymeric materials, pigments and glass beads, with a reflective layer of beads bonded to the top surface. The tapes are durable, conformable and retroreflective.

3) Princess Street and the approaches at the Portsmouth Avenue intersection should have year round markings which would minimize the risk of accidents.

ALTERNATIVE: Use of paint which lasts only six months and must be repainted twice a year.

EXISTING POLICY: When no suitable alternative material is available, a quotation is submitted to Council for approval.

FINANCIAL CONSIDERATIONS:

1) 3M Canada Inc. have submitted a quotation of $7,637.88, F.O.B. Toronto, for the supply of the following material:

a)	LANE LINES	3,110 linear feet 4" White "Stamark"
b)	CENTRE LINES	580 linear feet 4" Yellow "Stamark"
c)	CROSSWALKS	845 linear feet 4" White "Stamark"
d)	STOP BARS	220 linear feet 12" White "Stamark"
e)	LANE ARROWS	23 White Left arrows; 10 White Right arrows.

Included in the price is the use of their application equipment and technical supervision for the Traffic and Streets Department, who will be installing the tape.

2) The initial cost of "Stamark" Brand pavement marking tape is substantially more than paint; however, the extended durability could prove the cost per year to be less in the long run. Reducing the risk of accidents also is an economic benefit.

Schedule "X" to Report No. 64
(Page 2)

SUBJECT: PRINCESS STREET WIDENING PROJECT - Preformed Pliant Polymer Pavement Markings continued

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FINANCIAL CONSIDERATIONS: 3) The Ministry of Transportation and Communications has provided written approval of 75% subsidy for this project.

RECOMMENDATION: That the quotation of 3M Canada Inc. in the amount of $7,637.88 (F.S.T. included, P.S.T. exempt), F.O.B. Toronto, for the supply of "Stamark" Brand pavement tape and the use of their application equipment and technical supervision for the period required, be accepted.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "Y" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 24, 1980

SUBJECT: BANNER - Princess Street

ORIGIN: Request from the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period August 12, to August 17, 1980, inclusive.

ANALYSIS: 1) The purpose of the banner is to announce the "Celebration of Women's Art in City Park, August 17, 11 - 4 p.m.". This event will bring together dancers, musicians, poets, weavers, potters, jewellers, etc., who will be performing or displaying their work.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, "A By-Law Respecting Streets", permission be granted to the Women's Art Festival Committee to erect a banner across Princess Street between Montreal and Sydenham Streets for the period commencing August 12, 1980 to August 17, 1980, to advertise the celebration of Women's Art in City Park on August 17, 1980.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "Z" to Report No. 64
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: B. G. Cousens, City Treasurer.

FROM: R. J. Plumley, Purchasing Department,

SUBJECT: Tender No. 80-28, A Single Package Heat Pump

DATE: July 25, 1980.

Dear Mr. Cousens:

Three bids only, as setout hereunder, were received in response to the subject tender covering the supply and installation of a Heat Pump at 19 Queen Street.

E. S. Fox Limited	$12,450.00
Sleeth Refrigeration	$16,202.00
" "	(Alt. bid - $13,247.00)
Commercial Cooling	$18,595.00

It is recommended for consideration that the bid of E.S.Fox Ltd., be accepted being the lowest bid received, subject to their submission of drawings covering ducting and air distribution for approval prior to commencement of installation.

Yours very truly,

R.J. Plumley

R. J. Plumley,
Purchasing Department.

RJP/vn

cc. Mr. R. J. Hamilton,C.A.O.

NOTE: Number of Invitations Sent 18
Dates of Advertising - June 20 & 21, 1980
Date of Mailing - June 17, 1980
Date of Closing - June 27, 1980.

Schedule "AA" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: PAVING OF BOULEVARD ON SOUTH SIDE OF CATARAQUI STREET - REAR OF 47 JAMES STREET

ORIGIN: Request from Mr. F. Roper, 47 James Street, to pave a 10 foot strip of City boulevard on the south side of Cataraqui Street

ANALYSIS:

1) Cataraqui Street is a very narrow one-way street, only 18 feet wide.
2) The building and garage are very close to the street line which prevents a suitable driveway into a parking lot.
3) The apartment house is surrounded by commercial and light industrial development, including the Brewers Retail across the street from his property.
4) It is preferable to have the shoulder paved instead of the existing gravel.
5) The wide driveway and parking area have existed for 23 years without any problems except drainage.

EXISTING POLICY:

a) Section 24 (2) 1. of By-Law 10 (Streets) states that a driveway shall not exceed 30% of the property frontage;
b) Exemptions have been granted, especially in the older part of the City where unusual circumstances exist.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, "A By-Law Respecting Streets", permissi be granted to Mr. F. Roper to pave a 10 foot strip of City boulevard by 60 feet in length at the rear of 47 James Street, on the conditio that this asphalt area not be used for parking of vehicles.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "BB" to Report No.64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 24, 1980

SUBJECT: TEMPORARY STREET CLOSING - Ontario Street between Brock and Market Streets - August 20, 1980

ORIGIN: Request from the Parks & Recreation Department

ANALYSIS:

1) As part of the opening activities for the 1980 Ontario Summer Games in Peterborough, a Flame Ceremony will be held on August 20, 1980, from 9:30 a.m. to 10:15 a.m. in Confederation Park on Ontario Street between Brock and Market Streets.

2) There is medium traffic volume at this hour of the morning, and the detour along Market Street, King Street and Brock Street is relatively short.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Organizing Committee for the 1980 Summer Games to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for the purpose of conducting the 1980 Ontario Summer Games Flame Ceremony.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "CC" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: TRAFFIC CONTROL - REQUESTED THREE-WAY STOP SIGN - AVENUE ROAD AND McMAHON AVENUE

ORIGIN: Petition from residents

ANALYSIS:

1) The petitioners alleged that there are high volumes of traffic on Avenue Road as well as speeding along Avenue Road.

2) A meeting was held in my office with residents of the area, accompanied by Alderman Lampropoulo At that meeting the residents and Alderman Lampropoulos were advised that it was the Department's opinion that a stop sign is unwarranted on Avenue Road and that we would include the intersection of Glengarry Road and Avenue Road, and the intersection of McMahon Avenue and Avenue Road in our annual traffic counting program, which has recently been completed. The traffic count revealed that the volumes on Avenue Road are very low, with only 800 vehicles per day between McMahon Avenue and Glengarry Road, in comparison with other neighbourhood minor collector streets. For example, Van Order Drive carries 2,500 vehicles per day and Norman Rogers Drive carries 3,500 vehicles per day, without any stop sign controls.

3) Several inspections of Avenue Road indicate that the speeds are not in excess of the speed limit.

4) The intersection of Avenue Road and McMahon Avenue is a "T" intersection which has a yield sign control on the McMahon Avenue approach, which is the stem of the "T". There are no intersections in the City in which stop signs or yield signs are located on the through street of a "T" intersection. They have always been located on the stem of the "T".

5) The accidents are extremely low at this intersection with only one minor accident in 1979, and none reported in 1980 to date. For accident comparison purposes, there are 77 intersections in Kingston mainly with stop sign control and signal light control which had four or more accidents in 1979. In other words, stop signs and traffic signal lights do not eliminate accidents.

6) Prior to my appointment, Avenue Road had been designated in the Official Plan as an arterial street with an 86 foot road allowance. The road was built years ago to arterial design strengths, that is, with 5¼" asphalt. Potential traffic on Avenue Road at that time would have been in the vicinity of 15,000 vehicles per

ANALYSIS:

day. It was this Department that recommended to Council and negotiated with Alcan for a road allowance behind the rear of the houses east of the subdivision in order to provide a by-pass for through traffic.

7) When the subdivision north of Glengarry Road to Counter Street had been submitted to the City, no access was shown to Sir John A. Macdonald Boulevard. The main southerly access would have been via Avenue Road. To the surprise of Council, I recommended that Glengarry Road be connected to Sir John A. Macdonald Boulevard so that traffic from the large subdivision between Glengarry Road and Counter Street would not have to solely use Avenue Road; otherwise, the traffic on Avenue Road today would be in excess of 2,000 cars per day.

8) The stop sign is Kingston's most important regulatory sign, and its abuse should not be tolerated. Its function is to define right of way for the busier of two intersecting streets. It is not for the purpose of speed control.

ALTERNATIVES:

1) Prohibit right and left turns from Glengarry Road onto Avenue Road, and either prohibit left turns from Avenue Road onto Glengarry Road or prohibit left turns from Sir John A. Macdonald Boulevard onto Avenue Road just north of Princess Street.

2) The completion of the four lanes on Sir John A. Macdonald Boulevard between Counter Street and Princess Street is scheduled for 1982. The functional design will consist of a median strip and a separate left turn lane at Glengarry Road. At that time the City will have to consider prohibiting left turns from Sir John A. Macdonald Boulevard at Avenue Road due to its proximity to Princess Street and due to the increased traffic on Sir John A. Macdonald Boulevard.

RECOMMENDATION:

That no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

K. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "DD" to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Kingston Airport

DATE: July 21, 1980

SUBJECT: PROPOSED ADDITION TO TORONTAIR BUILDING - NORMAN ROGERS AIRPORT

ORIGIN: Request from Torontair for approval of plans prepared by Chrysler & Latham Ltd., Consulting Engineers, for expansion of the Torontair terminal building

ANALYSIS:

1) The existing Torontair building consists of two floors. The first floor contains inadequate Customs facilities as well as the warehouse and washrooms. The second floor contains the ticket office, waiting room and small office.

2) Torontair presently have over 150 passengers a week, and it is most inconvenient for passengers to climb stairs to the second floor with luggage to be ticketed. It is also very difficult for elderly people to climb the stairs. Security checking and control of departing passengers are inadequate. Location of the public washrooms adjacent to the bonded warehouse operation is most unsatisfactory.

3) a) The 1,460 square foot expansion consists of approximately an area 24 feet by 56 feet on the north side of the building and an 8 foot expansion on the east side of the existing building.

   b) The proposed plans show the ticket office and waiting room to be located in the expanded ground floor location as well as new washrooms and an expanded, needed Customs area.

   c) The expansion will also have separate access for arrivals and departures, as well as a separate entrance for Customs.

4) The expansion has been designed to allow for future expansion, if the new proposed terminal facilities are not implemented.

EXISTING POLICY: The lease between the Corporation of the City of Kingston and Toronto Airways Limited for Pad No. 2 requires Torontair to receive approval of the City for any alterations to their building.

RECOMMENDATION: That the plans as submitted by Torontair and prepared by Chrysler & Latham Ltd., Consulting Engineers, for a proposed 1,460 square foot addition to their building located on Pad No.

Schedule "DD" to Report No. 64
(Page 2)

RECOMMENDATION: 2 at the Kingston Airport, be approved, subject to the approval of Transport Canada.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule 'EE' to Report No. 64
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 28, 1980

SUBJECT: TEMPORARY STREET CLOSING - STUART STREET FROM BARRIE STREET TO GEORGE STREET - ARCH STREET AT STUART STREET

ORIGIN: English and Mould, Contractor installing a cooling tower on roof of Botterell Hall

ANALYSIS:

1) Request is to fully close Stuart Street from Barrie Street to George Street and Arch Street at Stuart Street from 7:00 a.m. to 1:00 p.m. on August 1, 1980.

2) An inspection of the site indicated that it would be virtually impossible to place a crane on the boulevard and front yard of Botterell Hall due to the underground tunnels and steam line.

3) This section of Stuart Street is an important access to the Kingston General Hospital as well as a bus route.

4) Discussions with the Transit Supervisor and with English and Mould have resulted in a compromise as outlined in the recommendation.

ALTERNATIVE:

1) There is no practical alternative due to the locati of underground tunnels and steam line.

FINANCIAL CONSIDERATIONS:

1) Due to the inconvenience caused to the public, savings to the contractor, and as an incentive to the contractor to complete the work as soon as possible, a rental rate of $75.00 for the five hours' use of the street was negotiated. This amount is to be paid in advance.

2) The contractor shall be responsible for any sidewal or roadway damage.

RECOMMENDATION: That a by-law be presented to Council to temporarily close on August 1, 1980, Arch Street at Stuart Street from 7:00 a.m. to 12 noon and to temporarily close Stuart Street between Barrie Street and George Street from 7:00 a.m. and 12 noon to one lane traffic, except for one hour between 9:00 a.m. and 12 noon, in which Stuart Street would be fully closed for one hour during the erection period, and that English and Mould be charged $75.00, payable in advance, for rental of the street and shall be responsible for any damage to the sidewalk or roadway.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule 'FF' to Report No. 64
(Page 1)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: July 28, 1980

SUBJECT: ICE CREAM SALES - CONFEDERATION PARK

ORIGIN: Department of Parks & Recreation

ANALYSIS: The sale of goods, in Parks must have Council approval, By-Law 19. It was brought to our attention that Dickie Dee were selling from within the Parks proper and also a wagon from the Vaults is selling drinks.

The letter was sent to the two firms explaining that their licence (which they both have) does not entitle them to sell in Parks proper and certainly not in those areas already serviced i.e. Lake Ontario Park, Portsmouth Olympic Harbour, Golf Course, Richardson Beach, etc.

Mr. Hugh Smith has requested permission to sell in Confederation Park (see attached.)

RECOMMENDATION: It is recommended this request be approved and that consideration be given to a further fee for the privelege as per other concessions in this Park and others.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Department

DRF/klh
attachments.

Schedule 'FF' to Report No. 64
(Page 2)

216 Inverness Crescent
Kingston, Ontario
July 28, 1980

Mr. Douglas R. Fluhrer
Commissioner of Parks and Recreation Dept.
City of Kingston,
City Hall
Kingston, Ontario

Dear Sir:

Further to your letter of July 24th, 1980, you are correct in stating that I am not aware that selling in City parks, without specific approval by Council, is in violation of By-Law no. 19, Section 16 (c).

When my wife and I started to operate the Dickie Dee Ice Cream business three years ago we were informed when we obtained our licenses, that we could sell in any City park that did not have a concession booth. It is for that reason that we have never sold in Lake Ontario Park, or at Richardson Beach. Each year we have renewed our licenses and have never been informed that By-Law No. 19, section 16 (c) would apply to our business.

I, therefore now request permission to sell ice cream from an Ice Cream Bicycle in Confederation Park. I believe that we provide a service that is needed in the Park and, judging from the many comments and photographs taken, one that is well received by the public.

During these past three years we have upgraded the image of the riders, and this year introduced the "Train Bicycle" to work exclusively in the downtown area. At no time do we permit more than one bicycle in the area at a time. We train our uniformed riders in all aspects of safety and courtesy, and pay special attention to the subject of litter.

I sincerely hope that Council will look favourably on my request.

Yours Truly

Hugh Smith

COMMITTEE OF THE WHOLE (Cont'd)

Moved by Ald. Timmins
Seconded by Ald. Lampropoulos

That pursuant to Rule 16, of By-Law No. 1, "A By-Law to Regulate Council Procedures", permission be granted to continue the meeting until completion of the Agenda.

CARRIED

MOTIONS

(1) Moved by Ald. Lampropoulos
Seconded by Ald. Matthews,

That Council review By-Law No. 10, "A By-Law Respecting Streets", Section 24 (2) (1).

CARRIED

REFERRED TO THE CITY SOLICITOR AND THE ADMINISTRATOR OF TRAFFIC, STREETS & PARKING FOR REPORTS TO COUNCIL

Pursuant to Rule No. 41 of By-Law No. 1, "A By-Law to Regulate Council Procedures", Council consented to consider the following motion:

(2) Moved by Ald. Miller
Seconded by Ald. McArthur

That the City of Kingston contribute $68.00 towards costs of the Women's Art Festival scheduled for City Park on August 17, 1980.

LOST (4:9)

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Hawkins
Seconded by Ald. Knapp

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

BYLAWS

Council consented to the withdrawal of By-Laws (3) and (11), and the addition of By-Law (32).

Ald. McArthur declared a conflict of interest in Motion (A) since he is the owner of property in the N.I.P. redevelopment area (By-Law No. 2).

(A) Moved by Ald. Tarnowecky
Seconded by Ald. Timmins

That By-Laws 1, 2, 4 to 10 and 12 to 17 be given their First and Second Readings.

CARRIED
Ald. McArthur abstained from voting

(B) Moved by Ald. Clements
Seconded by Ald. Gerretsen

That Rule No. 34 of By-Law No. 1 be suspended for the purpose of giving By-Law No. 32 its Third Reading.

CARRIED

(C) Moved by Ald. Gorham
Seconded by Ald. Hawkins

That By-Laws 18 to 32 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Amend Section 126 - delete 45.7 m and substitute 15.24 m.)

FIRST AND SECOND READINGS PROPOSED NO. 80-156 A
(Note: This amending By-Law is necessary to correct a typographical error.)

Ald. McArthur declared a Conflict of Interest in By-Law (2), since he owns property in the redevelopment area.

(2) A By-Law to Amend By-Law No. 8438, "A By-Law to Adopt a Redevelopment Plan for the City of Kingston - N.I.P. Redevelopment Area". (Amend Redevelopment Plan.)

FIRST AND SECOND READINGS PROPOSED NO. 80-157A
Clause 1, Report No. 56, 1980.
Ald. McArthur abstained

(3) A By-Law to Fix the Price at which the Stopped Up Portion of Davidson Street, West of Pembroke Street, Shall be Sold.

FIRST AND SECOND READINGS PROPOSED NO. 80-158
Motion (1), City Council Meeting No. 37, 1980.

WITHDRAWN

BYLAWS (Cont'd)

(4) A By-Law to Authorize the Construction of a Concrete Sidewalk (1.5m wide) West side of Napier Street from Scott Street to Dunlop Street, under the provisions of Section 8 of *The Local Improvement Act*.

FIRST AND SECOND READINGS PROPOSED NO. 80-159
Clause 8, Report No. 64, 1980.

(5) A By-Law to Authorize the Reconstruction of Concrete Sidewalks in
(1) Brock Street (3.1m wide) North side from King to Wellington Streets;
(2) Princess Street (2.04m wide) North side from Tower Street to Westerly 27.4m;
under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-160
Clause 9 , Report No. 64, 1980.

(6) A By-Law to Authorize Construction of Curb, Gutter and Boulevard in Napier Street East side from Scott Street to Park Street, under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-161
Clause 10, Report No. 64, 1980.

(7) A By-Law to Authorize Construction of an Asphalt Pavement (9.2m wide) in Napier Street from Scott Street to Park Street, under the provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST AND SECOND READINGS PROPOSED NO. 80-162
Clause 11, Report No. 64, 1980.

(8) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (1.83m wide) in Ontario Street East Side from 40.23m south of Barrack Street southerly 20.24m, under the provisions of Section 8 of *The Local Improvement Act*.

FIRST AND SECOND READINGS PROPOSED NO. 80-163
Clause 15, Report No. 64, 1980.

(9) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (2.0m wide) in Princess Street, North side from Victoria Street easterly 57.60m, under the provisions of Section 8 of *The Local Improvement Act*.

FIRST AND SECOND READINGS PROPOSED NO. 80-164
Clause 16, Report No. 64, 1980

(10) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation." (Waive Fees Kingston Women's Arts Festival).

FIRST AND SECOND READINGS PROPOSED NO. 80-165
Clause 18, Report No. 64, 1980

BYLAWS (Cont'd)

(11) A By-Law to Authorize Improvements to the Public Works Yard, under Section 336 of *The Municipal Act*, R.S.O. 1970, as Amended (General Rate).

FIRST AND SECOND READINGS PROPOSED NO. 80-166
Clause 23, Report No. 64, 1980.

WITHDRAWN

(12) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of *The Highway Traffic Act*. (Clause 27, Report No. 64)

FIRST AND SECOND READINGS PROPOSED NO. 80-167
Clause 27, Report No. 64, 1980.

(13) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Clause 27, Report No. 64).

FIRST AND SECOND READINGS PROPOSED NO. 80-168
Clause 27, Report No. 64, 1980.

(14) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters". (Clause 27, Report No. 64).

FRIST AND SECOND READINGS PROPOSED NO. 80-169
Clause 27, Report No. 64, 1980.

(15) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Women's Art Festival Committee). (Clause 29, Report No. 64)

FIRST AND SECOND READINGS PROPOSED NO. 80-170
Clause 29, Report No. 64, 1980.

(16) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets", (Section 27(a)). (Clause 31, Report No.64)

FIRST AND SECOND READINGS PROPOSED NO. 80-171
Clause 31, Report No. 64, 1980.

(17) A By-Law to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m. for community purposes.

FIRST AND SECOND READINGS PROPOSED NO. 80-172
Clause 32, Report No. 64, 1980.

(18) A By-Law to Confirm the Proceedings of Council at its Meeting Held on July 28, 1980.

THREE READINGS PROPOSED NO. 80-173
City Council Meeting No. 38, 1980

BY-LAWS (Cont'd)

(19) A By-Law to Authorize the Construction of a Sanitary Sewer in an Easement from Counter Street to Lappan's Lane under the Provisions of Sections 354(1)¶53 and 362 of *The Municipal Act*, R.S.O. 1970, Chapter 284.

THIRD READING PROPOSED NO. 80-14
Clause 11, Report No. 7, 1979-80

(20) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (1.5 m Wide) on the South Side of Clarence Street from Ontario Street easterly 88.09 m under the provisions of Section 7 of *The Local Improvement Act* (Petition).

THIRD READING PROPOSED NO. 80-101
Clause 9, Report No. 42, 1980

(21) A By-Law to Authorize the Reconstruction of Certain Concrete Sidewal and an Asphalt Walkway (General Rate).

THIRD READING PROPOSED NO. 80-102
Clause 10, Report No. 42, 1980

(22) A By-Law to Amend By-Law No. 79-151, "A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-abutting, Equally Benefited Frontage from 77.77 m East of Victoria Street easterly 3.05 m under the provisions of Section 7 of *The Local Improvement Act* (Petition)." (Increased Cost)

THIRD READING PROPOSED NO. 80-128
Clause 6, Report No. 50, 1980

(23) A By-Law to Amend By-Law No. 80-20, "A By-Law to Authorize the Construction of a Storm Sewer in Clarence Street from Ontario Street easterly 107.59 m, Including in the City's Share a Sanitary Sewer Service, under the provisions of Section 7 of *The Local Improvement Act* (Petition)." (Increased Cost)

THIRD READING PROPOSED NO. 80-129
Clause 8, Report No. 50, 1980

(24) A By-Law to Authorize the Construction of a 400 m Watermain on the East Side of Ontario Street from William Street to Johnson Street and Services under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

THIRD READING PROPOSED NO. 80-131
Clause 10, Report No. 50, 1980

(25) A By-Law to Amend By-Law No. 79-265, "A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee." (Alternate Member of Council to be Appointed.)

THIRD READING PROPOSED NO. 80-151
Clause 1, Report No. 58, 1980

(26) A By-Law to Authorize the Execution of an Agreement with Her Majesty The Queen, in right of the Province of Ontario as represented by the Minister of Transportation and Communication (Kingston Transportation Study).

THIRD READING PROPOSED NO. 80-153
Clause 1, Report No. 60, 1980

BY-LAWS (Cont'd)

(27) A By-Law to Amend By-Law No. 4, "A By-Law to Provide for the Conditions of Employment of Employees of The Corporation of the City of Kingston." (Clause 9(b), Report No. 60.)

THIRD READING PROPOSED NO. 80-154
Clause 9(b), Report No. 60, 1980

(28) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation and Use of the Parks and Recreation Facilities of The Corporation of the City of Kingston" to provide that Admission Prices to the Kingston Pump House Steam Museum be Waived on a Day to be determined in July or August, 1980 for the Promotion of "Kingston Museum Day".

THIRD READING PROPOSED NO. 80-156
Clause 17, Report No. 60, 1980

(29) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Kingston Pops Concert)

THIRD READING PROPOSED NO. 80-157
Clause 18, Report No. 60, 1980

(30) A By-Law to Authorize Extensions and Improvements to the Natural Gas System in the City of Kingston in the Amount of $250,000.00

THIRD READING PROPOSED NO. 80-126
Clause 14, Report No. 48, 1980

(31) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours" (Amend Rotation Schedule)

THIRD READING PROPOSED NO. 80-152
Clause 1, Report No. 59, 1980

(32) A By-Law to Temporarily Close Certain Streets on August 1, 1980 (Clause 35, Report No. 64, 1980).

THREE READINGS PROPOSED NO. 80-174
Clause 35, Report No. 64, 1980

ADJOURNMENT

Moved by Alderman Hawkins
Seconded by Alderman Gorham

That Council do now adjourn.

CARRIED

Council adjourned at 11:48 p.m.

(L.S.)

(Signed) *M. Houghton*
Acting City Clerk
Pro Tempore

(Signed) *Ken Keyes*
Mayor

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AUG - 8 1980

CITY COUNCIL MEETING NO. 39

Pursuant to Rule No. 3 of By-Law No. 1, a Special Meeting of City Council will be held on August 5, 1980, at 7:00 p.m. in the Council Chambers to discuss downtown development.

ROLL CALL

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to consider the matter of downtown redevelopment.

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

COMMUNICATIONS

To Be Referred to the Committee of the Whole

(533) From Mr. David Almas, owner of property at 77 Princess Street which is leased to Vandervoort Hardware (1963) Limited, stating that he wishes to take issue with the contention of the LACAC Committee that this building is of great architectural and/or historic significance.

Mr. Almas states that because of changes which have been made over the years to the building, and because there is now no physical evidence of early historic uses of the building, and that the streetscape in this block has had many changes in recent years, he does not believe that these buildings, individually or as a group are worthy of preservation under the Ontario Heritage Act.

(Note: Copies have been distributed to all members of Council)

BY-LAWS

(A) That By-Law 1 be given three Readings

(1) A By-Law to Confirm the Proceedings of Council at its Meeting Held on August 5, 1980.

THREE READINGS PROPOSED NO. 80-175
City Council Meeting No. 39, 1980

ADJOURNMENT

Kuph

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CITY COUNCIL MEETING NO. 39

Pursuant to Rule No. 3 of By-Law No. 1, a Special Meeting of City Council was held on August 5, 1980, at 7:15 p.m., in the Council Chamber, to discuss downtown redevelopment. Acting Mayor Ald. Gerretsen presided after 7.40 p.m.

ROLL CALL

Mayor Keyes (left at 7:40 p.m.); Ald. Bishop; Ald. Clements; Ald. Gerretsen; Ald. Gorham; Ald. Hawkins; Ald. Knapp; Ald. Lampropoulos; Ald. Matthews; Ald. McArthur; Ald. Miller; Ald. Tarnowecky; Ald. Timmins; Ald. Webb (14)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer; Mr. B.G. Cousens, City Treasurer; Mr. G.G. Muirhead, Director of Planning and Urban Renewal; Mr. K. Linseman, Administrator of Traffic, Streets and Parking; Fire Chief Cowdy; Mr. M.C. Healy, City Clerk.

COMMUNICATIONS

Council consented to the addition of Communication Nos. 534 and 535.

Referred to the Committee of the Whole

(533) From Mr. David Almas, owner of property at 77 Princess Street which is leased to Vandervoort Hardware (1963) Limited, stating that he wishes to take issue with the contention of the LACAC Committee that this building is of great architectural and/or historic significance.

Mr. Almas states that because of changes which have been made over the years to the building, because there is now no physical evidence of early historic uses of the building, and that the streetscape in this block has had many changes in recent years, he does not believe that these buildings, individually or as a group, are worthy of preservation under The Ontario Heritage Act.

(Note: Copies have been distributed to all members of Council)

Referred to the Committee of the Whole

(534) From the Hon. Keith Norton, Minister of Community and Social Services, notifying that he has received a request from the Children's Aid Society of the City of Kingston and County of Frontenac for a review by a Child Welfare Review Committee of the amount of the 1980 estimate of expenditures of the Society pursuant to section 12(3) of The Child Welfare Act, 1978, and that he has appointed Mr. Barry Lowes, as Chairman of the proposed Review Committee and has requested the Ontario Association of Children's Aid Societies to appoint a second member to the Committee.

He requests that the City of Kingston appoint a third member to the Review Committee, in consultation with the County of Frontenac and to advise him of the City's choice by August 15, 1980.

(Note: Copies have been distributed to all members of Council)

A05

COMMUNICATIONS (cont'd)

Referred to the Committee of the Whole - August 5, 1980

(535) From Mr. R.J. Hamilton, Chief Administrative Officer, forwarding to Council for its consideration, the request of Fire Chief Cowdy that, notwithstanding the policy set by Council at its 1980 budget deliberations, he be permitted to attend a second conference in 1980, namely the Annual Meeting of the Canadian Association of Fire Chiefs.

COMMITTEE OF THE WHOLE

Moved by Ald. Bishop
Seconded by Ald. Clements

That Council resolve itself into the Committee of the Whole to consider the matter of downtown redevelopment.

CARRIED

Moved by Ald. Clements
Seconded by Ald. Gorham

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that the following discussion took place, and motions were considered, in the Committee of the Whole as follows:

Downtown Redevelopment

Mayor Keyes explained that subsequent to the submission of the City's application for funding under the Province's Downtown Revitalization Program, a letter had been received from the Minister of Housing, requesting that the City commission a study to determine the market impact of the proposed Chartwood development. Although the City had submitted to the Province the study completed by Prof. Chapman, that study had not included the impact of a downtown development on the existing downtown area, since the proposal for downtown redevelopment had not been made at that time. This matter would be discussed tonight. Following that discussion, the Mayor hoped that Council would make a recommendation to have the study conducted, and information on that subject had already been sent to members of Council by the C.A.O.

Mayor Keyes added that Mr. Magwood, of Chartwood Developments, was also present and would speak to members of Council following the discussion with the representatives of the Ministry of Housing who were present.

Mayor Keyes welcomed the Hon. Keith Norton, M.P.P., to the meeting, and introduced the three representatives of the Ministry of Housing who were present.

Mr. Bowles, Manager of the Community Renewal Branch of the Ministry, introduced his colleague, Mr. S. Cheetham, and also Mr. J. Harris, the consultant to the Ministry on the Downtown Revitalization Program.

Mr. Bowles said that the City had forwarded to the Ministry with its application for funding, a copy of the report completed by Professor Chapman in 1978. This was a very well done report in their opinion, but did not address certain issues related to the site and the project currently under consideration by the City and the Ministry. There was also some question as to the validity of the conclusions reached by Prof. Chapman with regard to overall department store square footage. The Ministry's position, taken with all municipalities who had or were in the process of participating in this program, was that the municipality should commission an independent market analysis which looked at the overall market in terms of the viability of the proposed project. This was very important, since the Province was investigating the application in terms of the loan, which involved a great deal of money, and would like to have some assurance that the project would be viable and that the Province would participate in recoveries. The market analysis would cover two areas:

a) the impact of the project of the size proposed, type of retail facilities being proposed and the existing retail structure of the downtown area.

It was not the Province's intention to participate in a project which, because of its magnitude, would disrupt the existing retail community in the downtown area.

and

b) that the project would act as a "seeder" to stimulate further private sector redevelopment of the downtown.

The Province was anxious to determine that there would be a residual market available for private sector initiative.

In a brief statement, these were the reasons behind the Province's request to the City for an updating of the Chapman report insofar as overall market was concerned and specifically in relation to the Chartwood proposal.

Ald. Miller said that, on rereading the Administrative Guide to the Program, she had noticed that a market analysis was one of the requirements for submission with the application by the municipality. She asked whether this was the reason for the request now being made.

Mr. Bowles said that this was correct, and that this requirement had been stipulated since the inception of the Program. While the Chapman report did indicate a great deal about the Kingston market, it did not deal with this project simply because it had not been proposed when the Chapman report was conducted.

In response to a question from Ald. Gerretsen, Mr. Bowles said it was the normal practice for this study to be requested after the developer had been chosen. There was a sequence of events involved here, and the Ministry would normally recommend that the municipality first demonstrate the need for a downtown revitalization project, i.e. that there were indicators of downtown blight such as decreasing tax revenues, store vacancies, etc. This was then theoretically followed by an overall market review, determining that the central core area was in fact deteriorating. The study had to be done following the demonstration of initial desire by the City to counteract this deterioration, since much of the study concerned the size of the project, at least in general terms.

Ald. Gerretsen said he wondered if there was any assumption that the developer knew what he was doing and would not become involved unless he were sure the market was there.

Mr. Bowles said he was sure the developer had made his decision to submit an application on the basis of a strong feeling that the market was there. However, the Province was aware that the developer might not be concerned with the impact of that development on the remaining area of the downtown and whether his development would have a seeder effect or suck up the market to such an extent that nothing else would potentially be available in the downtown area. The Province had to bear in mind that the developer had vested interests and that was the reason why it wished to see the municipality commission the report.

In response to a question from Ald. Gerretsen as to further requirements of the Ministry after completion of such a study, Mr. Bowles said that the requirements of the Ministry in order to grant approval in principle, were as set out in the letter from the Minister. Following that, there were certain requirements regarding negotiations which would be jointly conducted with the municipality and the developer and agreements which had to be entered into between the three parties. This concerned financial arrangements and other matters. Another area to which the Ministry was sensitive was the relationship between the proposed project and the remainder of the downtown. Whether or not the project was internally oriented in such a way that it did not encourage free movement between it and the downtown generally, was an important concern. However, specifics of the proposal would

COMMITTEE OF THE WHOLE (cont'd)

be dealt with at a later stage in the process. What was being dealt with now were the requirements which the Ministry felt were necessary in order to arrive at a decision to approve the proposal in principle, which involved essentially a commitment of funds. That approval, if and when granted, would be subject to a number of conditions, possibly including Official Plan changes, financial arrangements, etc., etc. It was only after approval in principle that the negotiations began between the Province, the City and the developer, and at this stage, many of the design questions would be addressed.

Ald. Hawkins said he wondered why it had taken the Ministry so long to make the request, since the application had been made several months ago. Had the Council been aware that the Chapman report was not considered sufficient, it might have proceeded differently.

Mr. Bowles said he understood the City's application had been made on May 13, 1980, and the Minister's letter had been sent on July 14, 1980. The review process was very thorough, and he did not feel this was an excessive period for an application involving funds of several million dollars.

Ald. Knapp said he was convinced of the need for the study to fill the gaps left in the Chapman report. However he wondered if such a study might not be distorted by some recent developments in the downtown area which could provide an incorrect assessment of the real picture. Some of these new developments had been undertaken in anticipation of a major revitalization project.

Mr. Bowles said he could not speculate on this. The assessment had to be undertaken at some point in time, and presumably these matters would be taken into consideration. The basic need was to analyse what was now present in the downtown, to see what the impact of new development would be and what would be promoted in the future.

In response to a further question from Ald. Knapp, Mr. Bowles said he felt the City, in its application and documentation, had attempted to identify the need. However, need and impact were two different concepts, and it was the latter which had now to be addressed. The City had indicated need for a revitalization project by showing that the proportion of assessment from business taxes in the CBD was falling in relation to general commercial taxes, and the commercial tax base was falling in relation to overall assessment including residential. The City had also shown that there were signs of weakness in the core area in terms of the types of stores now located there, vacancy rates, and potential vacancies. This was an indication that the core area was deteriorating and would continue to deteriorate, theoretically, unless some action was taken to reverse that trend. Now that the need had been demonstrated, the Province was asking that the proposed solution be analysed to see what impact it would have. It might be that such an analysis would show that this was the right solution for Kingston, but only such an analysis would provide this proof.

Ald. Gorham said he understood the need for the study, but wondered how this could be done when the final details of the design of the project were not yet finalized.

Mr. Harris, consultant for the Ministry, said whether or not the design was inward or outward looking was not critical for a market analysis. What was critical was the nature of the major tenant and the assumptions regarding the ancillary tenants, their quality and number. The market analysis was a measurement and in order for it to be carried out, a strong conceptual image of what was proposed was necessary. It was critical that knowledge of the major tenant and the nature of the ancillary retail components were available.

(Mayor Keyes left the meeting at 7.40, and the Chair was assumed by Ald. Gerretsen, Acting Mayor)

Ald. Gorham said it appeared to him that if the best stores were to be confined within a project, this would be very important for the rest of the community. He still felt design was very important.

Mr. Harris said that design became critical after completion of the market analysis.

In response to a further question from Ald. Gorham, Mr. Bowles said that this was the time to find out whether or not the project was feasible. Obviously,

COMMITTEE OF THE WHOLE (cont'd)

this should be determined before the City had gone to the expense of acquiring two blocks of land, which would only be used as parking lots if the project did not proceed. In the Ministry's view, there were many hurdles yet to be overcome before the City acquired land and demolition took place.

In answer to a question from Acting Mayor Gerretsen as to whether the matter of demolition vs retention of existing buildings would be taken into consideration by the study, Mr. Bowles said that the project now under consideration had been given approval in principle by the municipality, and this did call for the acqusition of property by the City, involving demolition of certain properties. The market analysis had to be based on that proposal. If the City now wished to consider retaining the buildings now in existence, and move the proposal back, then this would be an entirely different project, necessitating a different type of analysis. This did not involve the specifics of design, but the general siting was important.

Ald. Tarnowecky said he shared the concerns expressed by Ald. Hawkins, and whether this matter had been delayed for internal reasons or not. A decision in principle had been made by the municipality last year and yet further hurdles were now being encountered. Although he was in favour of the study because he saw no alternative, he wondered about the effect of the Cadillac-Fairview announcement recently. Keeping the matter in limbo not only affected the Council but the people who were affected by the development proposal itself. How long would such a study take, and how many more hurdles would the City have to overcome? How long would it be before an approval in principle could be given, and were there actually any funds available for the project this year or after the Provincial election? Would the Ministry wait for another budget?

Mr. Bowles said that he felt the market analysis would probably take between three and six months to complete, depending on the terms of reference established by the municipality for the consultant. As far as further requirements were concerned, the requirements at this stage were as laid down in the Minister's letter, i.e. that the project had to be supported and justified by a market analysis. With regard to available funding, this was limited in the existing budget allocation. The City was no doubt aware that there were other municipalities now in this process, and the Ministry's position was that each application would be viewed on its individual merits, with the understanding that the municipality could proceed and find out that funds were not available. On the other hand, if a good and well-substantiated case was put before the Ministry, then a recommendation could be made to Cabinet to appropriate additional funds over and above the allocation, for a specific project. There could be absolutely no guarantee that provincial funds would be available, if the market analysis was done and it showed that the market was available and the project would have no detrimental effect on the existing downtown. However, this would put the City of Kingston in a more advantageous position with regard to the competition for funds among municipalities.

Ald. Tarnowecky said that, subject to Mr. Magwood's comments, this sounded as though the City could kiss the project goodbye if Cadillac-Fairview went ahead in 1981.

Ald. Webb said he wished to take issue with a statement made by one of the Ministry officials that the reason for the decline of the downtown was the decline in ratio between commercial and residential assessment. He did not feel this was true, rather it was the difficulty caused by the inability of the Ontario government to allow the City to tax its institutions and the mismanagement on behalf of the City in allowing industries to escape to the Township. He accepted his share of the blame for the latter. He did not feel a solution to all problems was being brought into the downtown. He would be interested in the impact of the projects approved over the last few years, since he thought the results might be interesting. He was very concerned about the proposed participation of the developer in this market study insofar as costs were concerned. An application from Steinberg's had been hanging for over three months after the approval of the Campeau project, so that the downtown matter could be considered. In view of this, perhaps all the other developers now proposing retail facilities in the City should also be asked to share the costs of the market analysis. He found this unbelievable, and would render the results of the survey suspect.

COMMITTEE OF THE WHOLE (cont'd)

He asked when an answer from the Province could be expected. How many more market studies would be necessary? Perhaps the Provincial election would have an effect on this. Perhaps the fairest way to deal with this whole matter was for it to be placed on the ballot, although perhaps it was too late to get into this now.

Mr. Bowles said that projects completed under the Downtown Revitalization Program were now in place in Vanier, Cornwall, Thunder Bay and Sarnia. The only comparable one, to that now proposed in Kingston, was the Cornwall project. All these projects had only recently been opened and the Ministry was now in the process of studying the effects of the projects, to see if they had achieved the original aim of the program. These were also being compared to the project completed in Peterborough, undertaken by private enterprise. It was expected that this would be completed by the end of the year, and the question could be answer more definitively at that time.

With regard to the developer being involved in paying the costs of the market analysis, Mr. Bowles said that the Ministry had no objections to this. However, the City would no doubt wish to have absolute control over the terms of reference for such a study. With regard to additional requirements, he believed he had already outlined these. The municipality determined the need, selected a project, and made application for approval in principle to the Province. The application was then reviewed, and this was the stage now reached in the case of the City of Kingston. Approval in principle, based on review of all the information provided by the City, might then follow. This was conditional upon a number of things, which varied from City to City, One was possibly that the City move to amend its Official Plan to protect the investment of the City and the Province, and another was OMB approval of the City's financial share in the loans. Various agreements and leases between the City, the Province and the developer were also included in this part of the process. All of these, in addition to more detailed review of the design of the project, would follow if approval were given in principle.

Ald. Webb wondered when the point of no return would be reached. He wondered if the City would suddenly find itself too far along to get out even if it so wished. Could this be done at any stage until construction began?

Mr. Bowles said that if the City had any intention to withdraw, this should be done as early as possible. The further one went, the stronger the commitment became.

Ald. Timmins said that while he held no brief for either the Ministry or the developer, he felt that they should have everyone's sympathy at this point, since the discussion this evening had strayed very far from the point. He did not feel the Ministry had any idea of what the City really wanted, the City didn't seem to know whether to demolish the two blocks, or to retain them in some form, and members of Council did not seem to know what they wanted. He was not personally in favour of the study, but he felt that members of Council had to commit themselves to something.

Ald. Timmins noted that the suggested consultants were all based in Toronto, or elsewhere out of the City, which he felt was a pity. What did this imply for the Province's declared intention that things should "move east"? He also wondered whether a full study was needed, and at what cost, or whether a smaller study could be completed at less cost.

Mr. Bowles said that the average, from their experience with other municipalities, was around $20,000. He felt the study should be full and complete in terms of its analysis of the Kingston trade area and would perhaps substantiate some of the facts and figures in the Chapman report. The main problem with the Chapman report was that it did not address the CBD itself, and the impact thereon of a major project in the downtown. Nor did it address the objective that such a project should act as a seeder project for further development in the downtown.

In response to a further question from Ald. Timmins, Mr. Bowles said that the City had submitted its application for funding under the Downtown Revitalization Program, along with substantiating information including the Chapman report. In terms of what had been received from the City, the Ministry had a fairly good idea of the direction proposed by the City.

Ald. Timmins said he could not share the Ministry's view, since he could not tell what the Council wanted at the present time. When the reaction of people in the area of the proposed development had become evident, there had been much wavering on the part of some Council members as to whether or not the properties should be demolished. He personally did not consider the downtown to be a depressed area by any means. He felt it could certainly use a little revitalization but it was by no means a depressed area. The original concept sold to members of Council was for a 7 or 8 block redevelopment, not one of only one or two blocks. Many things had happened since the original proposal was approved. To be fair to the Ministry, he felt Council should get its act together and give them some concrete evidence of where the Council wanted to go.

Ald. Clements asked how significant was the demonstration of need in Kingston for a revitalization project, compared to other cities.

Mr. Bowles replied that he felt the City had demonstrated that a cycle of deterioration had begun in the downtown area of Kingston and had decided that revitalization was necessary.

Ald. Clements asked how significant was the deterioration in Kingston and how great was the need for revitalization. Mr. Bowles replied that he could not answer this question. It was up to the municipality to determine this.

Ald. Clements asked whether the Ministry was under the impression that the proposal involved the Scheme "A" proposed by Chartwood, involving demolition, or was it their understanding that the proposal was merely a site plan of a general nature calling for a department store plus a certain number of ancillary stores.

Mr. Bowles said that in its review of the application, the Ministry had taken the view that the siting was firm. Although the design was flexible to some extent, it was rigid also as far as this was concerned. If the design was to be changed to the extent of preserving the entire Princess Street frontage, then this would be a completely different project to that submitted for approval. He felt that one of the keys to the success of the project was that the main elements have direct access to Princess Street.

Ald. Clements said he was glad to have this clarified since there had been much debate about what the Council had actually approved. He had thought this was simply a site plan and that there was no demonstration that any scheme or any particular design would be going forward. The Ministry might have a different interpretation.

In response to a question from Ald. Clements, Mr. Bowles said that the completed projects, and the amount of funding involved, to date, were as follows:

Vanier	(approx)	$900,000.	
Cornwall		10,000,000	(total of two phases)
Sarnia		2,000,000 - 3,000,000	
Thunder Bay		4,200,000	

In response to a further question from Ald. Clements, Mr. Bowles said that there was no annual budget allocation for the Program *per se*, but that the initial allocation had been approximately $30 million. This had all been committed at the present time, and now applications were being dealt with as they were received. These were as follows

Approved in principle, and in final stages:

Sarnia (second phase)	$7 million
Brantford	$6 million
Barrie	$5.5 million
Guelph	$5.5 million
Sault Ste. Marie	$2 million
Perth	$1 million
Tillsonburg	

COMMITTEE OF THE WHOLE (cont'd)

Municipalities expressing strong interest:

Kingston
Pembroke
North Bay
Timmins
Cambridge
Owen Sound

Mr. Bowles estimated the total expenditure now proposed of about $24 million.

Ald. Clements said that bearing in mind this information, and also the recent announcement by Cadillac-Fairview, he was beginning to wonder whether the City should be rethinking what type of development it wanted in the downtown. Bearing in mind the projects Mr. Bowles had indicated, the City could be waiting for many years for funding. Perhaps some other type of development should be considered. He asked what other types of development had been undertaken elsewhere.

Mr. Bowles said that only one of the projects did not involve major department stores, and this was in the case of Thunder Bay, where the City had closed off a major street, put a roof over it and improved the facades in the enclosed space. They had also placed kiosks in the enclosed space. However, with regard to economic return, he understood that Thunder Bay was just about breaking even on its costs with this type of development, due largely to high maintenance and operational costs.

In response to a further question from Ald. Clements, Mr. Bowles said that an application could certainly be made for funding for something like the proposed semi-mall, and that since this would not involve the elements proposed for the larger redevelopment, a market study might not be necessary.

Ald. Matthews said he had been interested in the comments regarding the case for revitalization in the downtown area. The City was split on this issue and in surveys conducted in the affected area, up to 75% of the respondents had indicated their opposition. He would not be surprised to see the Council which had approved this proposal turned out of office in November. The municipal election, therefore, could have a real effect on the project if the next Council was opposed to it. He asked if there were any funds available for tenants or owners to fix up their stores so that a little more assessment could be received by the City.

Mr. Bowles said that at the present time, there were no funds available for this . However, the Ministry was now studying the possibility of such a program and reference had been made to this during the recent Ontario Renews conference in Toronto. This could fill the gap between the Downtown Revitalization Program and the Main Street program for smaller municipalities. This would be something along the lines of the commercial area renewal program to make use of funding through the federal CSEP program. This was tentative at the present time because of the doubts about the future of the CSEP program. This would be something like a commercial NIP program. On top of this, the Ministry was studying a facade improvement program to provide loans to individual shopkeepers for improvements to existing facades. Therefore, in the future, some funding might be available.

Ald. Matthews said that before the City and Chartwood were put to further expense, he felt the City ought to decide whether or not they were going to allow the present stores to be torn down, or to ask the developer to move further north. He felt these questions ought to be answered before a study was conducted. He felt the analysis should be the last thing done. He wondered if the local architects were going to be given a chance to help design the project. He felt this Council didn't know where it was going, and the blame for that rested squarely with the Council itself.

COMMITTEE OF THE WHOLE (cont'd)

In response to a question from Ald. Matthews, Mr. Bowles said that there was every likelihood of approval in principle being granted if the results of the market analysis were favourable. However, that decision had to be made by the Minister, and he could not second-guess that decision.

Mr. Bowles said he felt there was a misconception as to the role of the Province in this matter. Its role was in providing loans over a long period of years, and the Province was involved to the extent that they were attempting to protect this proposed investment on the one hand, and also to ensure that these funds would not help to destroy the downtown when it should be protecting it. However, specific decisions on the location of the project, the type of project, design and decisions to proceed were essentially the responsibility of the municipality. While the Ministry and its officials and consultants were ready and willing to give advice, they felt they had no right to dictate to the City of Kingston that a particular site be selected, or that a particular design be used.

Ald. McArthur asked how long was the time period between approval in principle and the beginning of construction. He did not believe in this project since he did not believe the public's money should be given away to millionaire developers.

Mr. Bowles said that from his experience with other municipalities, the time span was approximately 2 years.

In response to a question from Ald. Lampropoulos, Mr. Bowles said that the Ministry was still interested in having the market analysis completed even in light of the other proposed developments in the City and the Township. They would like Chapman's finding that the Cadillac-Fairview centre and the downtown projects could go ahead, confirmed.

In response to a question from Ald. Lampropoulos, Mr. Bowles said that the City could still submit an application for a department store alone, without the ancillary retail, but in the present climate, he doubted if a department store would be willing to do this. From the little he knew of the economics of shopping centre development, he understood that department stores usually preferred to be located along with other ancillary stores.

Ald. Bishop said he believed Council was 100% in favour of improving the downtown area. He wondered if Mr. Harris' reports and recommendations would be open to the City for perusal.

Mr. Bowles said that Mr. Harris operated on a retainer basis as a consultant to the Ministry. He did not usually make formal reports, but presented his views on an application in an informal manner. The Ministry itself did not initiate market analyses, but left this up to the municipality.

In response to a request from Acting Mayor Gerretsen, Mr. Hamilton said that the procedures carried out so far had been done with the concurrence of Council and with the assistance of the City's consultant, Mr. van Haastrecht. He believed Council were aware of the actions being taken as they had been taken.

Mr. Magwood said that it had been some time since he had appeared before the Council and this time, it was with a very heavy message. With respect to the market study, he wished to inform the Council that from his earlier dealings with the Ministry, he could say that this was a normal procedure. What Chartwood had attempted to do was to put together the relevant portions of studies that had been done in the Kingston area, and to present those to the Ministry. In his view, the Kingston area was distinguished by being the most studied area in the whole country. They had attempted to provide the necessary ammunition to get a department store committed and this had been done successfully with Eaton's. What was now being considered was the impact on business, given the present state of the art, being that Campeau, Steinberg's and most important, Cadillac-Fairview's role in the whole issue, was crucial. As Council was aware, Chapman's report had indicated that there was room in the market to support two major developments.

When Chartwood had first answered the proposal call asked for by the City, and were selected, he believed he had made it quite clear that in their view, this market could not support two major developments. They had reviewed this in some detail and he did not feel there had been any confusion about that. They had been prepared to spend money, on drawings and presentations, in light of the

COMMITTEE OF THE WHOLE (cont'd)

then current situation. Several weeks ago, at the same time the Ministry wrote to the City requesting that a study be made, Mr. van Haastrecht had asked Chartwood to indicate its views on financing of the market study. He had advised Mr. van Haastrecht that they would be prepared to pay half the costs of this study and should the project proceed, that the costs of the entire study would be included under project costs.

There had now been an intervening occurrence, and this was the announcement by Cadillac-Fairview. He would like now to advise Council that this had affected the development plans proposed by Chartwood for the downtown area of Kingston. They had wrestled with this problem over the last two weeks, together with Eaton's and had attempted to determine as best they could the reality of the announcement. At this point, they felt that it was beyond their capacity to speculate any further on whether or not Cadillac-Fairview would go ahead. In their view, and to the best of their information, it would proceed. At the time this whole process began, the Cadillac-Fairview site had been zoned for three years, yet nothing had been done, and no department store had thus far committed itself to the project. Furthermore, as their development plans progressed, and the cost of money increased, it became even more difficult for a non-government subsidised or supported project to finance itself under those market conditions.

Now, several things had happened, all at the same time and now he was saying that they were not prepared to gamble any more, and could not support the proposed sharing of the costs of the market study or incur any further expense. Should there be any change with respect to the Cadillac-Fairview proposal, then they would be here, but in no way did they consider the City committed to Chartwood following his remarks tonight. This was a very difficult decision, but it was a sound business decision based on the facts now before them.

More money was now asked to be committed, and more time and effort, and before things became so far advanced that backtracking was impossible, this decision ought to be made. The Ministry had also advised that, notwithstanding the outcome of the market study, there might still be the chance that the funds would not be available. The market study might well come to the conclusion that this market could properly sustain two major developments. He was saying that that really did not make any difference, although they would obviously have to accept what was said by the City. However, what was of vital concern to them was what their department store said to them, and they had said that in their view, this market could only sustain one major development and that although two could be built, it did not wish to be part of a failing, or less than successful proposal. He respected them for this decision. It was not possible to know the views of the stores to be located in the Township site, but it appeared they were willing to proceed.

The facts before everyone were, then, that the Ministry was not prepared to give any guarantees, there were a number of questions still be resolved with this Council also, although he had never had any doubts that those problems could not be resolved. They had always known that such matters as siting and design would have to come back to Council for approval, and had been confident that when the time came, that could be done. What the Ministry had been reviewing was a concept, which was sufficient for them to be able to reach a decision in principle at this time. They had felt that their deliberations with this Council were at an end, except for the agreements and the site plans.

Mr. Magwood said that this was a great disappointment to his Company after all the work they have put into this proposal and they apologised for the time that had been taken. He felt this had been a worthwhile process, since the onus was on the City to do its best to try and prevent everything moving to the Township. He could not say this would not proceed and if he were asked to make a bet, he would not wish to take it. However, further expenditures by themselves and by the T. Eaton Company were not wise at this time. Council was, of course, free now to handle the matter in any way it wished.

Acting Mayor Gerretsen asked if were correct to assume, then, that Chartwood was not prepared to proceed at this time until they knew exactly what was happening in the Township, and that there was no longer a commitment from Eaton's?

Mr. Magwood confirmed that Eaton's commitment was no longer there. They had asked him to make it quite clear that in their view, the proposal that Council had approved for the downtown area was the right one for this market. He believed

COMMITTEE OF THE WHOLE (cont'd)

this also, and that the Township development was entirely wrong for this area. Unfortunately, they were a few years too late. However, should the proposal for the Township not proceed, then they would be prepared to come in again.

In answer to a question as to whether or not he was officially withdrawing his proposal, Mr. Magwood said he would prefer to leave it that this was now the prerogative of Council to decide. If Council wished him to officially withdraw his proposal, then that was their right to ask.

Ald. Timmins said he recalled that it had been pointed out at the very beginning that it was a race with the Township and that if the Cadillac-Fairview proposal proceeded, then the Chartwood proposal could not go ahead. This was not really a surprise to some members of Council. Eaton's had also indicated they would not be making a proposal had it not been for the government program of loans, so this was not really a shock.

Acting Mayor Gerretsen thanked Mr. Magwood for taking the trouble to appear personally to convey this unfortunate news.

Mr. Magwood said that the moment the decision was made, Chartwood had felt they should appear personally to explain their decision and the reasons for it.

In response to a comment by Ald. Webb, Mr. Magwood suggested that the City Solicitor's advice on the status of the City's commitment in the whole matter should be sought. It was his understanding that the City had agreed in principle to develop the downtown. As to the future, he was not prepared to say they would not be involved at some future time.

Ald. Knapp said that not many comments had been made by members of Council, but this was indicative of the stunning nature of this news to members of Council.

Mr. Magwood said that in view of the Cadillac-Fairview announcement, and their belief that this would proceed next spring with Simpsons first and later with the Bay as well, that the market could not support a successful downtown redevelopment. Their position had always been that if that proceeded, then their proposal could not continue. This was especially relevant now since the project was reaching the point at which substantial financial commitments would have to be made.

Ald. Knapp said that there was an underlying problem here which would have a devastating effect on this community, and that was the matter of what was happening in the Township. Decisions taken by a neighbouring municipality would drastically affect the direction that this City would take in future. He felt the time had come to really address this problem at its source, and perhaps the City should become directly involved in co-operation with, or perhaps even annexation of, Kingston Township. However, some co-operation in planning for these municipalities should be undertaken jointly.

Ald. Tarnowecky said he agreed with Ald. Knapp's comments, and this news was really very stunning. In all fairness, it had to be remembered that Mr. Magwood had indicated from the beginning the crucial factor of the Cadillac-Fairview development. He was deeply disappointed and felt that Council should be grateful to Mr. Magwood and his Company and should express its appreciation to him. He would like personally to thank Mr. Magwood for his time and effort and to say that although this was a setback, perhaps the City should start again since they had learned a great deal from their experience, and were better for it. He agreed wholeheartedly that something had to be done to counterbalance the heavy commercial development to the west of the City in the near future. He hoped that Council would discuss this at the earliest opportunity.

Ald. Miller said she would like to thank Mr. Magwood for coming this evening. She was sorry that Council had had to wait for two hours before hearing his important news, but she felt that there had been a good discussion and a chance to have some questions answered by the Ministry officials. In trying to find something positive about this disappointment, she felt that the experience gained would be of value in the future, and it had been useful to find out how deeply many people cared about their downtown. Perhaps Council should now start to think of other ways in which to improve the downtown area.

COMMITTEE OF THE WHOLE (cont'd)

The Hon. Keith Norton, M.P.P., said that it appeared there was very little left to say on this matter, although in one sense he felt he should be honest and admit that he felt quite a sense of relief, since this development had been fraught with many difficulties involving different perceptions of social and economic aims for this City. In spite of Mr. Magwood's message, he did not feel this should be seen as entirely negative. He felt the exercise through which everyone had gone in the last few months was in one sense positive, and could be built upon. He would suggest that there was now an opportunity to look at the City again, and he offered whatever co-operation he could provide in determining whether there might be more appropriate ways to approach revitalization in the City's core. He was concerned about the long-term effects of peripheral development and how this affected the downtown core. There was now an opportunity to come up with proposals for a sensitive way to deal with the concerns everyone had. He knew it had not been easy for Council, or for anyone else and he wished to thank everyone for their efforts and for all they had contributed.

Moved by Ald. Webb
Seconded by Ald. Timmins

That the matter of the appointment of a consultant to carry out a market analysis of the impact of downtown redevelopment be left in abeyance pending further consideration by the City's Committee on Downtown Redevelopment.

CARRIED

Ald. Timmins asked that a report be provided by the City Solicitor on the implications of the matters discussed at this meeting, to be brought back to the Committee of the Whole for consideration.

Ald. Miller said that Mr. Hamilton would no doubt be bringing forward several matters for consideration by Council as a result of tonight's meeting, and she felt further discussion should await receipt of that report.

Council consented to consideration of the request submitted by the Fire Chief (Communication No. 535) with regard to attendance at a conference.

Moved by Ald. McArthur
Seconded by Ald. Bishop

That, notwithstanding the policy set by Council at its 1980 budget deliberations that Heads of Department and Council members be permitted to attend only one conference per year, Fire Chief K. Cowdy be authorized to attend the Annual Meeting of the Canadian Association of Fire Chiefs to be held in Calgary, Alberta on August 17 to 21, 1980, at City expense.

CARRIED

(Ald. Hawkins opposed)

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Ald. Hawkins
Seconded by Ald. Knapp

That the report of the Committee of the Whole be adopted, approved, and confirmed.

CARRIED

BYLAWS

Moved by Ald. Knapp
Seconded by Ald. Lampropoulos

That By-Law 1 be given Three Readings.

CARRIED

BY-LAWS (Cont'd)

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting Held on August 5, 1980

THREE READINGS PROPOSED NO. 80-175
City Council Meeting No. 39, 1980

ADJOURNMENT

Moved by Ald. Matthews
Seconded by Ald. McArthur

That Council do now adjourn

Council adjourned at 9.45 p.m.

(L.S.)

(Signed) M. C. Healy,
City Clerk

(Signed) J.P. Gerretsen
Acting Mayor

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DOCUMENTS DEPARTMENT
SEP 17 1980

CITY COUNCIL MEETING NO. 40

The Regular Meeting of City Council will be held on Monday, August 11, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE IN CAMERA

(A) That Council resolve itself into the Committee of the Whole In Camera to consider the following item:

(1) Land Acquisition - Purchase or Lease - Lake Ontario Park

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole In Camera and the Chairman report.

- or alternatively -

That Council rise from the Committee of the Whole In Camera without reporting.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved, and confirmed.

MINUTES

That the Minutes of Meeting No. 38 held on July 28, 1980 be amended by:

a) adding the following to Clause 21 of Report No. 64 (Page 1378):

" - and further -

that the sculpture be sited in Belle Park Drive Park, midway between the island and Montreal Street."

b) adding the following to Clause 36 of Report No. 64 (Page 1383):

"on the understanding that a fee for this permission will be negotiated by the Commissioner of Parks and Recreation for Council's later consideration."

A05

- and -

that the Minutes of Meeting No. 38, as amended, and the Minutes of Meeting No. 39, held on August 5, 1980, be confirmed.

PETITIONS

TABLING OF DOCUMENTS

(1) Copy of the eleventh Annual Report of the Credit Counselling Service of Kingston.

(2) Copy of the twelfth Annual Report of the Family Counselling Service of Kingston.

(3) From the Association of Municipalities of Ontario, a copy of Resolutions, Proposals and First Report of the Legislation and Resolutions Committee to be considered at the Annual Conference and Constitution in Toronto, from August 17th to August 20th, 1980.

(4) Copy of a Report entitled "Youth Job Corps Vandalism Project" which was prepared by a group of young people who were hired to work with the Kingston Police Force.

(5) A copy of the 1979 Annual Report of the Kingston Fire Department.

(Note: Copies were distributed to members of Council on July 28, 1980)

COMMUNICATIONS

To be Filed

(536) From the Frontenac Historic Foundation advising that they are in agreement with the resolution contained in Clause 1 of Report No. 49, 1980 concerning the preservation and maintenance of brick streets in the City of Kingston.

File No. 20-9

(537) From the Minister of Revenue forwarding a revised booklet explaining the GAINS program (Ontario Guaranteed Annual Income System). Also, an information booklet is being prepared on a program of Property and Sales Tax Grants for senior citizens and copies of this publication will be forwarded in the near future.

File No. 17-7

(538) From Captain & Mrs. R. Carnegie thanking the City for the flowers they received on the occasion of their 60th Wedding Anniversary.

File No. 3-6

COMMUNICATIONS (Cont'd)

To be Filed

(539) From the Kingston & District Folk Arts Council thanking the city for its donation of $2,200.00 for the 1980 season of community work.

File No. 7-3

(540) From the Ontario Municipal Board in the matter of Section 14 of The Municipal Act (R.S.O. 1970, c. 284) and in the matter of an application by The Corporation of the Township of Kingston for annexation to the township of part of Lot 15, Concession 2, in the City of Kingston, as described in By-law 79-76 of the application Corporation.

Since no objection to the application has been filed, the application will be granted.

After the expiration of the 28 days statutory period, an Order of the Board will issue annexing to the Township of Kingston, as described above, effective September 1, 1980. (Widening of East Side of Armstrong Subdivision Road).

File No. 21.4-11

(541) From the Liquor Licence Board of Ontario advising that application has been made to the Board for the issue of a liquor licence to the Top Card Restaurant, 35 Rideau Street, Kingston, for additional dining lounge facilities.

When the application has been scheduled for a public hearing, the Board will provide the City with a copy of their letter to the applicant setting out the date, time and place of the hearing.

File No. 12-6

To be Filed

(542) From the Regional Assessment Office, 1055 Princess Street, Kingston, advising that recently, new 1980 assessment equalization factors were published in the Ontario Gazette.

As required under Section 71 of The Assessment Act, the Ministry has developed a procedure to calculate the equalized assessments and equalization factors. A copy of the calculation sheet for the City of Kingston has been forwarded.

File No. 1-3.2

(543) From the N.I.P. Co-ordinator/Housing Information Officer advising that the present residency rule (rent-geared-to-income units) will be discontinued in all municipalities across the Province of Ontario on January 1, 1981. Then the only residency requirement applicable to applicants to a Housing Authority under the Ontario Housing Corporation will be one years residency in the Province of Ontario. All Housing Authorities in Ontario were asked to eliminate the local residency rule earlier if possible.

File No. 11-8

COMMUNICATIONS (Cont'd)

To be Referred to the Committee of the Whole

(544) From the N.I.P. Co-ordinator/Housing Information Officer advising that Mr. Matthews, Chairman of the Residency Appeal Committee, has requested that the following tentative resolution be presented to Council for consideration:

> "*Whereas the Province of Ontario assumed the municipal share of losses on Kingston Housing Authority Rent-Geared-to-Income Units as of April 1, 1980, and*
>
> *Whereas the Ontario Housing Corporation has directed the Kingston Housing Authority to eliminate the 12 months residency in Kingston rule on or before January 1, 1981, and*
>
> *Whereas after January 1, 1981 any resident in the Province of Ontario for 12 months may apply for and be housed in a unit in the City of Kingston, and*
>
> *Whereas the proximity of institutions, such as Millhaven, Frontenac, Joyceville, etc., attract relatives and friends of the inmate population, and*
>
> *Whereas many of these non-residents may apply to, and be housed by the Kingston Housing Authority, and*
>
> *Whereas many of those so housed apply for welfare and require other municipal services, and*
>
> *Whereas this creates an unusual financial burden on the Kingston taxpayers,*
>
> *Therefore be it resolved that the City of Kingston request the Government of Ontario to assume the municipal 20% of welfare cost for all non-residents of Kingston housed by the Kingston Housing Authority, and*
>
> *Be it further resolved that copies of this resolution be forwarded to Honourable Keith Norton, M.P.P.* "

CITY COUNCIL MEETING NO. 40 AUGUST 11, 1980

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to hear delegations, receive reports and to consider motions.

DELEGATIONS

(1) Mr. Arnold H. Vandermeer will be present re Site Plan Committee Report No. 65 (formerly Report No. 62 which was referred to this August 11th meeting).

(2) Helen Woolridge will be present re participation and sponsorship of Andre Bieler's new book.

REPORTS

That Report No. 65 of the Site Plan Control Committee be received and considered.

That Report No. 66 of the Chief Administrative Officer be received and adopted.

REPORT NO. 65

(Formerly Report No. 62, Meeting No. 38, 1980, which was withdrawn, and referred to Meeting of August 11, 1980)

To the Mayor and Aldermen: August 11, 1980

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

WHEREAS the owner has requested an extension to July 31, 1981;

THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

(See Schedule "A" attached hereto - 2 pages)

Respectfully submitted,

CHAIRMAN

Schedule 'A' to Report No. 65
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

N Jackson

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule 'A'to Report No. 65
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORT NO. 66

August 11, 1980

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. That the report of the Commissioner of Parks and Recreation attached hereto as Schedule "A", 1 page, concerning further free day(s) at the Steam Museum be considered.

2. That as recommended by the Commissioner of Parks and Recreation, permission is hereby granted to the Progressive Conservative Party of Ontario to erect and to operate a beer tent at Lake Ontario Park on the occasion of their picnic on August 26, 1980.

3. That the approval of The Corporation of the City of Kingston is hereby given to the Kingston Y.M.C.A.-Y.W.C.A. to have a Special Occasion Permit for the sale of beer in a tent on the grounds of the "Y" on the occasion of the Fall "Open House" and celebration of the 125th Anniversary of the Kingston Y.M.C.A.-Y.W.C.A. on Saturday, September 13, 1980 and being of community benefit.

   (Note: See copy of letter of application attached hereto as Schedule "B", 2 pages)

4. That the approval of The Corporation of the City of Kingston is hereby given to both Branch No. 9 and Branch No. 560 of the Royal Canadian Legion, to have a Special Occasion Permit for the sale of alcoholic beverages at both branches on the occasion of their "Open House" during Legion Week on Sunday, September 21, 1980 from noon to 6:00 p.m., it being of community benefit.

5. That the copy of the report of the Local Architectural Conservation Advisory Committee on the potential historical and/or architectural designation of buildings in the Downtown Redevelopment Area, tabled as Document No. 2 at City Council Meeting No. 38, held July 28, 1980, and which was referred to the Committee of the Whole, be now considered.

(Note: *Copies of the Report were distributed to all members of Council for the previous meeting)*

6. That the request of the City of Brampton for the City of Kingston (and other Ontario Municipalities) to express its view as to its preference for either a one, or a two, or a three year term for municipal council be answered as follows:

The members of the council of the Corporation of the City of Kingston prefer a term of office of ____________________ year(s)
(Insert either "one", "two", or "three)

(Note: *See copy of letter of Minister of Intergovernmental Affairs to the City of Brampton attached hereto as Schedule "C", 1 page)*

7. That as recommended by the City Treasurer, List of Accounts No. 7 dated July, 1980, in the amount of $3,076,395.58, for expenditures incurred under proper authorization, be approved.

(Note: *A copy of the List of Accounts No. 7 was distributed to all members of council on August 8, 1980)*

8.(A) Moved by
Seconded by

That Clause 6, Report No. 64, of the Chief Administrative Officer, now known as Clause 8.(B), Report No. 66 of the Chief Administrative Officer, as follows, be lifted from the table and considered:

8.(B) That, as recommended by the City Solicitor, the City pay the following amounts to Michael Borenka to settle a dispute with regard to the location of a fence at the northwest corner of First Avenue and County Lot 267, Plan 137, in the City of Kingston:

Repair of Fence	$210.00
Survey Cost - Borenko	260.00
Legal Costs	250.00
Total	$720.00

- and further -

That the following budget transfer be approved:

	Increase	Decrease
Finance Miscellaneous	$720.00	-
Finance Contingencies	-	$720.00

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "D", 1 page)

9.(A) Moved by
Seconded by

That Clause 33, Report No. 64 of the Chief Administrative Officer, now known as Clause 9.(B), Report No. 66 of the Chief Administrative Officer, as follows, be lifted from the table and considered.

9.(B) That as recommended by the Administrator of Traffic, Streets and Parking, no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "E", 2 pages)

10. That as recommended by the Commissioner of Works, the pavements, curbs and gutters, sidewalks, walkways and boulevards in Greenridge Subdivision, Phases I, II and III, be accepted subject to payment of outstanding accounts and that deposits, in the amount of $2,700.00 from the Developer, Dacon Corporation Limited, to cover deficiencies which have been corrected, be released.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "F", 1 page)

11. That as recommended by the Commissioner of Works the Subdivision Agreement dated October 24, 1978 between Bertan Investments Ltd., the Corporation of the City of Kingston and the Public Utilities Commission be amended so as to extend the date of completion for all services under Clause 1(a) of the agreement from June 30, 1979 to October 30, 1981.

(Note: See copy of Report of the Commissioner of Works attached hereto as Schedule "G", 1 page)

12. That as recommended by the Commissioner of Works, since a sufficiently signed petition for the work has been received, a by-law be presented to Council to authorize the construction of a concrete sidewalk (1.5 m wide, including road shoulder widening) in Thomas Street, south side, from Cowdy Street easterly 82.43 m under the provisions of Section 7 of The Local Improvement Act.

Costs are as follows:

Total estimated cost	$14,247.50
Owner's share	4,121.35
City's share	7,253.65
M.T.C. subsidy	2,872.50
Debenture amount	11, 375.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "H", 1 page)

(See By-Law 2: No. 80- 177)

13. That as recommended by the Commissioner of Works, the renewal of the asphalt sidewalk on the west side of Palace Road, from Johnson Street northerly 83.82 m is hereby authorized to be done by day labour instead of by contract.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "I", 1 page)

14. That as recommended by the Airport Administrator, the release of the 15% holdback on the contract with E.S. Fox Limited for the installation of runway end marker strobe lights at the Norman Rogers Airport, being $3,150.00, is hereby authorized.

(Note: A copy of the Report of the Airport Administrator is attached hereto as Schedule "J", 1 page)

15. That as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to Council to close Patrick Street from Balaclava Street to Quebec Street to vehicular traffic on a temporary basis on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for community purposes in order that the Kingston Jaycees annual "Over-the-Hill" Soap Box Derby may be held.

(Note: A copy of the report of the Traffic, Streets and Parking Administrator is attached hereto as Schedule "K", 1 page)

(See By-Law 3 : No. 80-178)

16. That as recommended by the Chief Administrative Officer, the following resolution of the City of Trenton be filed:

"WHEREAS a special committee of council was appointed in 1979 to review Departmental budgets and consider methods of reducing costs;

AND WHEREAS nineteen areas were selected for study and review and it was found that Police and Fire protection constitute almost 20% of the Town's overall expenditures;

AND WHEREAS the fulltime Firefighters, representing 10.8% of all municipal employees receive 13.6% of all salaries paid to fulltime municipal staff and fulltime Police Officers, representing 28% of staff receive 35.5% of all salaries paid to fulltime employees;

AND WHEREAS Fire Department and Police Department salaries are frequently settled through arbitration awards;

AND WHEREAS such awards are usually related to salaries paid to these Departments in other municipalities rather than having regard to local salaries paid and economic conditions in the municipality;

BE IT RESOLVED THAT:

(1) The Minister of Labour be requested to advise us of the criteria and principles used by arbitration award chairmen in dealing with Fire and Police Department wage settlements.

(2) A policy be established by the said Minister whereby such awards will be granted on the basis of local private sector wages paid and having regard to local economic conditions.

(3) The Minister be requested to advise Council of his decision regarding this proposed policy.

16. (Cont'd)

(4) This resolution be forwarded to the Ontario Minister of Labour, the Association of Municipalities of Ontario for endorsement at its annual convention, and to Mr. Hugh O'Neil, M.L.A."

(Note: See copy of Report of the Chief Administrative Officer attached hereto as Schedule "L", 4 pages)

17. That as recommended by the Assistant to the Social Services Administrator, the following be adopted as a policy of The Corporation of the City of Kingston:

> That when municipally-operated daycare centres are under-enroled, non-residents who are willing to pay full daycare fees be allowed to enrol children, on the condition that non-resident children would be expected to withdraw when positions are needed by city residents.

(Note: A copy of the Report of the Assistant to the Social Services Administrator is attached hereto as Schedule "M", 1 page)

18. That as recommended by the Commissioner of Parks and Recreation, By-law No. 80-172, "A By-Law to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m for community purposes", be amended on Third Reading to change the time of closing from "9:30 a.m." to "9:00 a.m.", one half hour earlier.

(See By-Law 13 : No. 80-172)

19. That as recommended by the Social Services Administrator, the request of the John Howard Society of Kingston and District to change receiving an annual grant from the City to a "fee for service" system be NOT APPROVED.

(Note: A copy of the Report of the Social Services Administrator is attached hereto as Schedule "N 1 page)

20. That as recommended by the Social Services Administrator and as recommended by the Sub-Committee on Car Allowances, effective as of June 1, 1980, the monthly car allowance of the Director of the Work Activity Project be increased from $30.00 per month to $80.00 per month.

(Note: A copy of the Report of the Social Services Administrator is attached hereto as Schedule "O", 1 page)

21. That the request of the Minister of Community and Social Services, Communication No. 534, for the City of Kingston, together with the County of Frontenac, to appoint within 10 days of August 5, 1980, a member of the Review Committee to review the amount of the 1980 estimates of expenditures of the Children's Aid Society of the City of Kingston and the County of Frontenac, be considered.

(Note: Frontenac County Council does not meet until August 11 and 12, 1980)

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

Schedule "A" to Report No. 66
(Page 1)

MEMORANDUM

TO: R.J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: August 7, 1980

SUBJECT: MUSEUMS DAY

ANALYSIS: This past holiday weekend, and with the approval of Council, our Steam Museum along with 13 other museums staged a Kingston Museum Day. The promotion, to get our local people into our local museums, took the form of positive news media support from both the Whig and Kingston This Week along with the radio and T.V. media.

Further, we placed advertisements in the paper which included a coupon, which provided free admission to those museums that charge (excluding Old Fort Henry, of course).

The results were astonishing and very rewarding. Interestingly, the number of visitors to our Steam Museum was approximately 1300 to 1400 for the one day, (5 times higher than any previous single day over the past 4 or 5 years) and also, our gate receipts and souvenirs sales were also higher than any previous day. (This came from out of town visitors who had no coupon, and also from people who had coupons but insisted on paying.)

RECOMMENDATION: We feel, the goal to get our local people in our local museums began to work but there are still thousands who have not done so. Therefore it is recommended that on one or two more days, between now and the end of our operating season, be declared free to our local citizens. This request applies to our museum only and does not intend others to follow suit unless they so wish.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DRF/cb

KINGSTON YMCA-YWCA
100 WRIGHT CRESCENT, KINGSTON, ONTARIO K7L 4T9 Telephone 546-2647

ident: Peter Crawford
cutive Director: S. Ortmayr

August 5, 1980.

PARKS AND RECREATION
AUG 6 19
REC'D.

Mr. Douglas Fluhrer,
Director of Parks & Recreation,
City Hall,
216 Ontario Street,
Kingston, Ontario.
K7L 2Z3

Dear Sir,

The Kingston YMCA-YWCA is planning our Fall "Open House" Program and celebration of our 125th Anniversary, to be held Saturday September 13th, 1980 at the Kingston YM-YWCA.

Activities will take place both inside and outside the 'Y' building and it is our intention to set up a beer tent outside.

We will comply with all the regulations as outlined to us in this connection and, therefore, we are requesting City Council provide us with a resolution in writing, granting us permission to hold this event.

Your co-operation would be greatly appreciated.

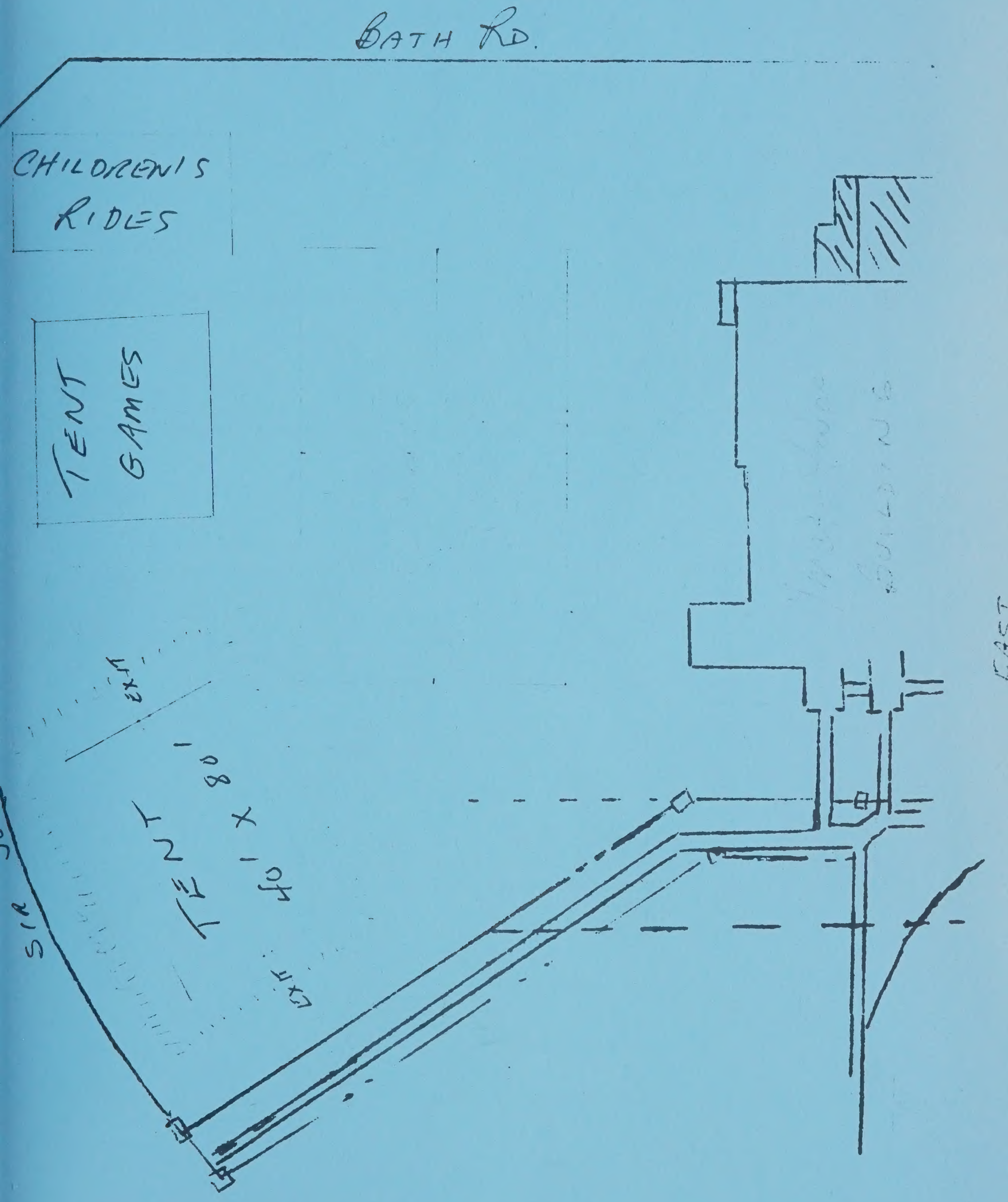
Sincerely yours,

S. Ortmayr
Executive Director

SO/mn

nited Way Agency

Schedule "B" to Report No. 66
(Page 2)


BATH RD.
CHILDREN'S RIDES
TENT GAMES
EXIT
TENT 40' x 80'
EXIT
SIR
BUILDING
EAST

Schedule "C" to Report No. 66
(Page 1)

e of the
ter

Ministry of
Intergovernmental
Affairs

416/965-3606

Queen's Park
Toronto, Ontario

June 18/80
3502
10-80

9 June 1980

Dear Mr. Everett:

Thank you for your letter of May 27, 1980 enclosing the resolution from the Council of the Corporation of the City of Brampton requesting a grant to cover the additional cost of conducting an election every two years rather than every three years as requested by some municipalities.

As I pointed out in my statement to the Legislature on 24 April 1980, that while many municipalities and municipal associations have requested an extension of the present uniform, two year term "at the same time, other municipalities and expressions by the public have urged the government to retain biennial elections." There has been little, if any, indication by the public that they are interested in a three-year term in the interests of saving money. Rather, the indications that we have received support the retention of the two-year term as a means of greater accountability.

It is not the intention of the government to make a grant to "cover such additional cost", as I don't believe that not realizing a saving due to the retention of the two-year term of office can be considered an additional cost.

I appreciate receiving the comments of the members of Council and as I mentioned during the discussion on my ministry estimates, the decision to retain the two-year term is for the 1980 municipal election and ministry staff are carrying out an on-going review of all aspects of municipal elections.

Kindest regards,

Cordially,

Tom Wells.

Thomas L. Wells
Minister

Mr. R. A. Everett
City Clerk
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Schedule "D" to Report No. 66
(Page 1)

Office of the
City Solicitor
Our Ref: L-18

KINGSTON
JUL 17 1980
OFFICE OF
CITY TREASURER

MEMORANDUM

TO: B.G. Cousens
Deputy Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: July 15, 1980

RE: County Court Action - Borenko vs. The City of Kingston

A problem arose in 1971 concerning a property at the northwest corner of First Avenue and County Lot 267, Plan 137 in the City of Kingston. A dispute arose between the owner of the property, Michael Borenko, and the City of Kingston concerning the existence of a fence erected by Borenko on what was reputed to be a public lane. The City commissioned a survey by Mr. Campbell which showed the fence was in fact located approximately 5' within the lane. The Borenkos commissioned a survey by Smith and Smith which showed that the fence was approximately on the boundary. The City ordered the fence removed and, in fact, removed the fence. A Writ and Statement of Claim were issued in the County Court. A Statement of Defence was not entered by the City at the time because it was thought that the City should pursue an application pursuant to the Boundaries Act.

When this matter was turned over to me I conferred with Mr. McKibbon who confirmed that rather than pursue further expensive proceedings we should obtain the opinion of a third surveyor. This was done. Mr. Burgham, O.L.S. prepared a Sketch Survey Plan which agreed with the Borenko's surveyor showing that the fence was very close to the boundary, and at the most only several inches on the said lane. In conferring with the solicitor for the plaintiffs he has now agreed to settle the action as follows. The fence could have been repaired in 1972 for the price of $210.00 according to an estimate produced. The Plaintiffs as well were required to engage a surveyor at a cost of $260.00. The legal costs incurred to date have been reasonably set at the sum of $250.00.

It is therefore recommended that due to the most recent survey which has confirmed that the fence was in fact on the boundary of the properties or only several inches on the said lane at most, that the Borenkos be paid the above-noted sums, being $210.00 for repair of the fence, $260.00 for the cost of their survey and $250.00 for legal costs.

It would appear that due to the surveying error, if this matter proceeded further in court there could be more extensive damages awarded against the City.

NCJ/nr

Norman C. Jackson
City Solicitor

.c. Doug Graham

Schedule "E" to Report No. 66
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: TRAFFIC CONTROL - REQUESTED THREE-WAY STOP SIGN - AVENUE ROAD AND McMAHON AVENUE

ORIGIN: Petition from residents

ANALYSIS:

1) The petitioners alleged that there are high volumes of traffic on Avenue Road as well as speeding along Avenue Road.

2) A meeting was held in my office with residents of the area, accompanied by Alderman Lampropoulos. At that meeting the residents and Alderman Lampropoulos were advised that it was the Department's opinion that a stop sign is unwarranted on Avenue Road and that we would include the intersection of Glengarry Road and Avenue Road, and the intersection of McMahon Avenue and Avenue Road in our annual traffic counting program, which has recently been completed. The traffic count revealed that the volumes on Avenue Road are very low, with only 800 vehicles per day between McMahon Avenue and Glengarry Road, in comparison with other neighbourhood minor collector streets. For example, Van Order Drive carries 2,500 vehicles per day and Norman Rogers Drive carries 3,500 vehicles per day, without any stop sign controls.

3) Several inspections of Avenue Road indicate that the speeds are not in excess of the speed limit.

4) The intersection of Avenue Road and McMahon Avenue is a "T" intersection which has a yield sign control on the McMahon Avenue approach, which is the stem of the "T". There are no intersections in the City in which stop signs or yield signs are located on the through street of a "T" intersection. They have always been located on the stem of the "T".

5) The accidents are extremely low at this intersection with only one minor accident in 1979, and none reported in 1980 to date. For accident comparison purposes, there are 77 intersections in Kingston mainly with stop sign control and signal light control which had four or more accidents in 1979. In other words, stop signs and traffic signal lights do not eliminate accidents.

6) Prior to my appointment, Avenue Road had been designated in the Official Plan as an arterial street with an 86 foot road allowance. The road was built years ago to arterial design strengths, that is, with 5¼" asphalt. Potential traffic on Avenue Road at that time would have been in the vicinity of 15,000 vehicles per

ANALYSIS:

day. It was this Department that recommended to Council and negotiated with Alcan for a road allowance behind the rear of the houses east of the subdivision in order to provide a by-pass for through traffic.

7) When the subdivision north of Glengarry Road to Counter Street had been submitted to the City, no access was shown to Sir John A. Macdonald Boulevard. The main southerly access would have been via Avenue Road. To the surprise of Council, I recommended that Glengarry Road be connected to Sir John A. Macdonald Boulevard so that traffic from the large subdivision between Glengarry Road and Counter Street would not have to solely use Avenue Road; otherwise, the traffic on Avenue Road today would be in excess of 2,000 cars per day.

8) The stop sign is Kingston's most important regulatory sign, and its abuse should not be tolerated. Its function is to define right of way for the busier of two intersecting streets. It is not for the purpose of speed control.

ALTERNATIVES:

1) Prohibit right and left turns from Glengarry Road onto Avenue Road, and either prohibit left turns from Avenue Road onto Glengarry Road or prohibit left turns from Sir John A. Macdonald Boulevard onto Avenue Road just north of Princess Street.

2) The completion of the four lanes on Sir John A. Macdonald Boulevard between Counter Street and Princess Street is scheduled for 1982. The functional design will consist of a median strip and a separate left turn lane at Glengarry Road. At that time the City will have to consider prohibiting left turns from Sir John A. Macdonald Boulevard at Avenue Road due to its proximity to Princess Street and due to the increased traffic on Sir John A. Macdonald Boulevard.

RECOMMENDATION:

That no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "F" to Report No. 66
(Page 1)

AUG 7 1980

emo to	Mr. R.J.Hamilton, Chief Administrative Officer
ate	July 28, 1980
ubject	Acceptance of aboveground services in Greenridge Subdivision, Phases I, II and III.
igin	Public Works Department
alysis	Although aboveground services in the subdivisions under reference were completed in 1977 some outstanding deficiencies were not completed until later. The Developer provided the City with a deposit of $2500. to cover these deficiencies. In addition, the Developer had previously provided the City with a deposit of $200. to cover grading on the Board of Education property which has been satisfactorily completed.
xisting Policy	It is the policy of Council to accept the aboveground services upon completion subject to the provision by the Developer of a two year guaranteed maintenance bond and payment of outstanding accounts. In this instance the two year guaranteed maintenance period has elapsed and accordingly a guaranteed maintenance bond would not be applicable. In addition any deposits provided by the Developer to cover deficiencies is returned by Council upon correction of these deficiencies.
ecommendation	That the pavements, curbs and gutters, sidewalks, walkways and boulevards in Greenridge Subdivision, Phases I, II, and III, be accepted subject to payment of outstanding accounts and that deposits, in the amount of $2700.00 from the Developer to cover deficiencies which have been corrected, be released.

D.Graham, P.Eng
Commissioner of Works

c/gg

AUG 6 1980

Memo to Mr. R. J. Hamilton, Chief Administrative Officer

Date August 1, 1980

Subject Amendment of Subdivision Agreement with Bertan Investments Ltd. to extend the date of completion of services. (formerly Watts & Silver Florist Property).

Origin Letter from Subdivider dated July 16, 1980.

Analysis The Subdivision Agreement provides for the completion of all services by June 30, 1979.

The underground services have been completed and accepted by the City as of April 12, 1979. Above ground services excluding top asphalt, sidewalks and sodding were completed on September 1, 1979. So far only one house has been built in the subdivision. The Developer has stated that because of unfavourable economic conditions there has been little interest in the lots until recently. They have requested that they be allowed to complete the above ground services next year in order to avoid damage to the surface of the pavement, walk and sod during house construction.

No maintenance problems and no complaints have arisen because of the non-completion of the services. Ideally, any extension should allow for boulevard completion in the fall after road and sidewalk construction.

Recommendation It is recommended that the Subdivision Agreement dated October 24, 1978 between Bertan Investments Ltd., the Corporation of the City of Kingston and the Public Utilities Commission be amended so as to extend the date of completion for all services under Clause 1 (a) from June 30, 1979 to October 30, 1981.

jc/cl

D. Graham, P. Eng.
Commissioner of Works

Schedule "H" to Report No. 66
(Page)

AUG 6 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 1st, 1980

SUBJECT: Construction of concrete sidewalk (1.5 m. wide including road shoulder widening) in Thomas Street south side from Cowdy Street easterly 82.43 m.

ORIGIN: Public Works Department

ANALYSIS: This sidewalk was included in the tentative schedule of new sidewalks approved by Council earlier this year. A sufficiently signed petition for the subject work has been received. There is some walk in this block near Patrick St. This project will complete the walk in the block. It will tidy up the area and benefit school children as well.

EXISTING POLICY: When a sidewalk is constructed in a residential area for the first time it is done under the Local Improvement Act.

FINANCIAL: Adequate funds were provided in the 1980 Capital Budget. The 70:30 split of cost for a school walk has been used in the cost apportionment.

RECOMMENDATION: THAT, since a sufficiently signed petition has been received, a bylaw be passed to authorize the construction of a concrete sidewalk (1.5 m. wide including road shoulder widening) in Thomas Street, south side, from Cowdy Street easterly 82.43 m. under the provisions of Section 7 of the Local Improvement Act.

The costs are:

Total estimated cost	$14,247.50
Owner's share	$ 4,121.35
City's share	$ 7,253.65
M.T.C. subsidy	$ 2,872.50
Debenture Amount	$11,375.00

D. Graham, P. Eng.
Commissioner of Works

PL:CL

Schedule "I" to Report No. 66
(Page 1)

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - 7 August, 1980

SUBJECT	Asphalt Sidewalk Renewal - Palace Road. West side Johnson St. northerly 83.82 m.
ORIGIN	Public Works Department
ANALYSIS	The above mentioned sidewalk formed part of a tentative schedule approved earlier this year by Council. The work is a type that the City Yard has been doing. It is proposed that the project be done by day labour.
FINANCIAL	The by-law which includes the renewal of this sidewalk provides an estimate of $2,010.00. For this amount the existing walk could be removed and replaced. The walk is in boulevard with most of the frontage on vacant City land. An overlay will be adequate over most of the length. The estimate from the City Yard is $600.00.
RECOMMENDATION	That the renewal of the asphalt sidewalk on Palace Road west side Johnson St. northerly 83.82 m. by day labour be authorized.

D. Graham, P. Eng.,
Commissioner of Works

Schedule "J" to Report No. 66
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Kingston Airport

DATE: July 31, 1980

SUBJECT: AIRPORT - RELEASE OF HOLDBACK - E. S. FOX LIMITED
- RUNWAY END MARKER STROBE LIGHTS

ORIGIN: Request from E. S. Fox Limited for release of holdback in the amount of $3,150.00;

ANALYSIS:

1) Inquiry No. 78-72 and Agreement dated December 8, 1978, between E. S. Fox Limited and the Corporation of the City of Kingston covered the supply and installation of marker strobe lights at both ends of Runway 19L, Norman Rogers Airport, for a total price of $21,000.00.

2) Installation of the runway end marker strobe lights and necessary wiring to the control panel has now been completed by the contractor to the satisfaction of

   a) airport management;
   b) Ontario Hydro; and
   c) Transport Canada.

3) A one year guarantee commencing May 29, 1980, has been received from E. S. Fox Limited with respect to their workmanship and materials in this installation.

FINANCIAL CONSIDERATIONS: The necessary funds were allocated in 1978 and have been retained for this purpose.

RECOMMENDATION: That the 15% holdback on the contract for the installation of runway end marker strobe lights at the Kingston Airport in the amount of $3,150.00 be released to the contractor, E. S. Fox Limited.

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "K" to Report No. 66
(Page 1)

AUG 7 1980

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: August 5, 1980

SUBJECT: TEMPORARY STREET CLOSING - PATRICK STREET FROM BALACLAVA STREET TO QUEBEC STREET

ORIGIN: Request from Kingston Jaycees Inc. to close Patrick Street to vehicular traffic on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m.

ANALYSIS:

1) The Kingston Jaycees are planning to hold their annual "Over-the-Hill" Soap Box Derby on Monday, September 1, 1980.

2) Traffic volumes are usually very low on Patrick Street on Labour Day.

3) Previous closings for this event have caused no traffic problems.

EXISTING POLICY: Permission has been granted by Council in past years to permit the temporary closing of Patrick Street for this annual event.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Kingston Jaycees Inc. to temporarily close Patrick Street from Balaclava Street to Quebec Street to vehicular traffic on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for community purposes.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "L" to Report No. 66
(Page 1)

FROM
Mr. R.J. Hamilton, C.A.O.

M.C. Healy,
City Clerk.

DATE
August 5, 1980

SUBJECT
Trenton Resolution

ESSAGE

We have forwarded this resolution to the Police Commissio Fire Chief and Mr. Ready for comment and input and you will take note that the Police Commission have agreed to support part of the resolution only.

Based on the position expressed by the Departments, I would recommend that this resolution be filed.

R.J. Hamilton,
C.A.O.

DATE: July 9, 1980.

TO: Mr. R.J. Hamilton,
Chief Administrative Officer.

FROM: Mr. K.S. Ready,
Director of Personnel.

SUBJECT: Resolution - City of Trenton.

I have reviewed the resolution as drafted by the Deputy Clerk and Council of Trenton.

My first comment would be that Trenton may be addressing the resolution to the wrong person. In general, the Solicitor General has jurisdiction over all arbitration matters respecting Fire and Police.

Resolutions of this nature have been submitted by individual municipalities, the Ontario Municipal Personnel Association, the Association of Municipalities of Ontario, a group of mayors of Western Ontario, and other assorted groups, for the past decade. In recent years the O.M.A. through the Municipal Liaison Committee submitted an excellent brief which carried a good deal of political clout, but unfortunately also terminated on the shelf.

I think our municipality should support Trenton in their resolution, if for no other reason than to create still more pressure on the Solicitor General's department in this matter. We cannot feel that the resolution will have the same impact as similar resolutions supported by large organizations, but still it may help some.

SIGNED: Mr. K.S. Ready,
Director of Personnel.

KSR:dmm

Schedule "L" to Report No. 66
(Page 2)

JUL 31 1980

CITY OF KINGSTON
BOARD OF COMMISSIONERS
OF POLICE

RESS ALL CORRESPONDENCE TO
CRETARY OF THE BOARD

POST OFFICE BOX 1001
KINGSTON, ONTARIO
K7L 4X8

July 30th, 1980.

Mr. M. Healy,
City Clerk,
City Hall.

Dear Sir:

With reference to your recent memorandum, with which you enclosed a copy of a letter to the Honourable Robert G. Elgie, M.D., Minister of Labour from the Deputy Clerk of Trenton, and a copy of a resolution from the City Council of Trenton.

Please be advised that at the regular meeting of the Board of Commissioners of Police, held on July 17th, the following resolution was passed and carried:-

> "That City Council be advised that the Board had discussed the resolution made by Trenton City Council and it was the unanimous feeling of the Board that they agreed to support Part 1 of the Resolution, however, they felt they should not endorse Parts 2, 3 and 4."

It would be appreciated if you would bring the response of the Board to City Council's attention, for reply.

Yours truly,

J.W. Kealey.

J. W. Kealey,
Secretary.

JWK:gh

Copy to: His Honour Judge A. R. Campbell.

AUG 5 1980

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE FIRE CHIEF

BROCK STREET FIRE STATION
KINGSTON, ONTARIO

August 1,1980.

TO: Mr. R.J. Hamilton, C.A.O.

FROM: K.A. Cowdy, Fire Chief.

SUBJECT: TRENTON RESOLUTION

As requested by memo July 8th, 1980, I submit the following comments for your consideration.

The resolution has been forwarded to the Ministry of Labour; a Municipal Council is totally responsible for fire protection with legislation under the Ministry of the Solicitor General setting procedures for negotiations. Therefore, comments or complaints would appropriately be forwarded to the latter ministry.

In reviewing the percentage stats in the third whereas, I find it difficult to make a comparison between Kingston and Trenton (size of municipality, type, structure and size of Fire Department, etc.).

In my view the Council of Trenton, over several years, neglected to establish reasonable salary levels for its employees creating the situation where the arbitrator felt obliged to grant substantial increases.

As for comparison between Police and Fire staff, Council as you know has little control over police negotiations as they are responsible to a Commission with only one member being an elected official.

Hoping these comments will assist you in your recommendations to Council.

Yours truly,

KA Cowdy

K.A. Cowdy,
Fire Chief.

KAC/bd

June 27, 1980

The Honourable Robert G. Elgie, M.D.
Minister of Labour
Queen's Park
Toronto, Ontario

Dear Doctor Elgie:

As a result of a recent cost-cutting review of our municipal budget, Council has come to the conclusion that one of the areas where costs continue to escalate beyond the norm, is in police and fire protection.

It is obvious that the main reason for these increased costs is salaries and benefits, and that this situation has resulted from the requirement to settle wage contract disputes through arbitration.

The philosophy followed by most, if not all, arbitration chairmen is that police officers and firemen should be paid the same salary in all comparably-sized municipalities and that their benefits should be the same across the Province.

This philosophy has made it very difficult, if not impossible, to negotiate with these employees. They know, from past experience, that if they can show where another similar-sized municipality is receiving a higher salary, they will probably get that salary awarded to them, regardless of the percentage increase it represents. The same is also true concerning benefits.

Alternatively, they will play one against the other - demanding wage parity for firemen with policemen or a wage gap for policemen over firemen. These principles are, apparently, acceptable arguments by arbitration chairmen.

Trenton Council feels that the only way to get these increases back to a more responsible level and to obtain more settlements through negotiation rather than arbitration, is to establish a policy or guidelines for boards of arbitration, whereby only local wage settlements and economic conditions will be considered in reaching a decision and that settlements in other areas of the Province will not be a factor.

Council has passed the enclosed resolution requesting your consideration of such a policy.

You will note that the resolution also asks that Council be advised of your decision and comments in this matter.

We trust this subject will receive the serious consideration it deserves.

Yours truly,

Arden Royce, A.M.C.T.
Deputy Clerk

AR:srr
Encl.

Schedule "M" to Report No. 66
(Page 1)

TO: R. J. Hamilton
Chief Administrative Officer

DATE: July 11, 1980

FROM: S. R. Cameron
Assistant to the Administrator

SUBJECT: Admission of non-residents to municipally operated daycare centres.

ORIGIN: Department of Social Services in consultation with the Ad Hoc Committee on Daycare Centres and Nursery Schools.

ANALYSIS: In the past, the policy of the City has been that only city residents or non-residents owning property (and hence paying taxes) in the City could enrol a child in a municipally-operated daycare centre. (Please see attached minutes from Community Services Committee meetings.)

This policy disallows the enrolment of a non-resident child whose parents are not taxpayers, even in situations where the family is willing to pay full daycare fees, and where there are vacancies in the city centres.

FINANCIAL CONSIDERATIONS: The costs of staffing and maintaining the city centres are constant whether they are operated at full enrolment or with a vacancy rate. During periods when centres operate with a vacancy rate, it would seem preferable to allow the admission of children from non-resident, non-tax-paying families who are willing to pay full fees, so that this revenue can be applied against the fixed costs.

RECOMMENDATION: That when municipally-operated daycare centres are under-enroled, non-residents who are willing to pay full daycare fees be allowed to enrol children, on the condition that non-resident children would be expected to withdraw when positions are needed by city residents.

COMMUNITY SERVICES COMMITTEE

Minute #75-457 (1975)

"That the existing policy whereby applications from persons living outside the City for their children to attend the Day Care Centres be not approved remain unchanged."

The existing policy approved in 1972 (Minute #72-111) reads as follows:

"That no application from persons outside of the City of Kingston except taxpayers of the City of Kingston, for the enrolment of children in the Municipal Day Care Centre be accepted."

Meeting held June 29, 1978:

"That, if an application is received for enrolment in a municipal day care centre from a non-resident of the City of Kingston who, at the same time, is a taxpayer of the City of Kingston, and provided the applicant is willing to pay the full fees for his/her child, and provided that the space is not required by a child of a family residing in the City of Kingston, the application be approved."

Schedule "N" to Report No. 66
(Page 1)

TO: Mr. R. J. Hamilton
C. A. O.

DATE: July 9th, 1980

FROM: Mr. S. H. Routbard
Administrator

SUBJECT: JOHN HOWARD SOCIETY - FEE FOR SERVICE

A request has been received from the John Howard Society of Kingston and District, requesting a change in their annual grant to a fee for service system. At present the annual grant to the Society is $1,600.00.

On a fee for service arrangement with an agreed amount of $8,000.00 per annun, the 20% Municipal share would be the same as the present grant of $1,600.00.

This change would involve presentation of the Societies annual budget in detail, an agreement drawn up by the City, Provincial approval and accountability of each case regarding eligibility to this Department.

It also incorporates additional administrative time in auditing.

At present we are involved with thirteen separate Purchase of Service Agreements and there has been a number of requests for subsidized services rejected the past few years. I understand there are future requests forthcoming from other agencies within the next few months.

I appreciate the societies position regarding their shortfall and realize other agencies experience the same predicament.

I feel we service all eligible persons applying for assistance and the enclosed list of referral agencies are just some of the source as to where applicants come from. This does not take into account people coming in on their own, transients, clergy referrals etc,.

I therefore could not recommend a Fee for Service system at this time.

Schedule "O" to Report No. 66
(Page 1)

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: July 15th, 1980

FROM: S. H. Routbard
Administrator

SUBJECT: Car Allowances - Work Activity Project

ORIGIN: Prior to the Project being incorporated into Local 141, the travel allowance was disbursed at $15.00 per month for four staff employees. These employees were; the Director, the Bookkeeper, the Life Skills Coach and the Auto Body Instructor.

ANALYSIS: When budgeting for 1980, this structure was changed to formulate a system compensating where allowances were most required. Consequently car allowances were amended to include the Director and Bookkeeper only. It was reasoned that the Auto Body Instructor and the Life Skills Coach, who required only occasional transportation, could utilize the Project vehicle or request the Director for transportation.

EXISTING POLICY: Up until May, based on the approved budget, the Director and the Bookkeeper receive a travel allowance of $30.00 per month.

The Director uses his own car and calls upon prospective employers, suppliers, customers and public relations parties each day.

The Bookkeeper is required to use his car periodically for the purpose of City Hall liaison with this Department, Treasury Department and supplies. He is also required to do the banking for the Project as needed.

FINANCIAL: All travel allowances at the Project are subsidized 80% by the Pprovince in the same manner as the entire program.

RECOMMENDATIONS:

Subject to the Sub-Committee on Car Allowances and councils approval, I would request consideration being given for a monthly travel allowance of $80.00, effective June 1st, 1980 for the Director.

COMMITTEE OF THE WHOLE (Cont'd)

MOTIONS

(1) Moved by Ald. Miller,
Seconded by Ald. Knapp,

WHEREAS the Noise Control By-law prohibits amplified music in residential areas after 11 p.m., but prohibits amplified music in commercial and industrial areas after 5 p.m., and,

WHEREAS amplified music, often associated with outdoor parties, can become a neighbourhood nuisance at any time of day or night,

THEREFORE BE IT RESOLVED that Council request the City Solicitor to review the Noise Control By-law with a view to regulating the noise of amplified music and sound during day-time and evening hours.

(2) Moved by Ald. Miller,
Seconded by Ald. Knapp,

WHEREAS the Property Standards By-law permits gravel as an appropriate ground cover for front yards, and,

WHEREAS gravelled front yards encourage parking which is prohibited by our zoning by-law and is hard to control,

THEREFORE BE IT RESOLVED that Council review the Property Standards By-law with a view to requiring vegetation or decorative cover materials as ground cover for front yards.

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTIONS

BYLAWS

(A) That By-Laws 1 to 4 be given their First & Second Readings.

(B) That By-Laws 4 to 15 be given their Third Reading.

(1) A By-Law to Temporarily Close Certain Streets on Sunday, September 14, 1980 from 10:00 a.m. to 12:00 noon for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-176
Clause 26, Report No. 64, 1980

(2) A By-Law to Authorize the Construction of a concrete sidewalk, 1.5 m wide, including road shoulder widening, on the south side of Thomas Street, from Cowdy Street easterly 82.43 m under the Provisions of Section 7 of The Local Improvement Act. (Petition)

FIRST & SECOND READINGS PROPOSED NO. 80-177
Clause 12, Report No. 66, 1980

(3) A By-Law to Close Patrick Street from Balaclava Street to Quebec Street to Vehicular Traffic on a Temporary Basis on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-178
Clause 15, Report No. 66, 1980

(4) A By-Law to Confirm the Proceedings of Council at its Meeting Held on August 11, 1980.

THREE READINGS PROPOSED NO. 80-179
City Council Meeting No. 40, 1980

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Amend Section 126 - delete 45.7 m and substitute 15.24 m).

THIRD READING PROPOSED NO. 80-156
(Note: This amending By-Law is necessary to correct a typographical error)

(6) A By-Law to Amend By-Law No. 8438, "A By-Law to Adopt a Redevelopment Plan for the City of Kingston - N.I.P. Redevelopment Area". (Amend Redevelopment Plan).

THIRD READING PROPOSED NO. 80-157
Clause 1, Report No. 56, 1980

BYLAWS (Cont'd)

(7) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation". (Waive Fees Kingston Women's Arts Festival).

THIRD READING PROPOSED NO. 80-165
Clause 19, Report No. 64, 1980

(8) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-167
Clause 27, Report No. 64, 1980

(9) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-168
Clause 27, Report No. 64, 1980

(10) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters." (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-169
Clause 27, Report No. 64, 1980

(11) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Women's Art Festival Committee). (Clause 29, Report No. 64).

THIRD READING PROPOSED NO. 80-170
Clause 29, Report No. 64, 1980

(12) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets", (Section 27(a)). (Clause 31, Report No. 64).

THIRD READING PROPOSED NO. 80-171
Clause 31, Report No. 64, 1980

BYLAWS (Cont'd)

(13) A By-Law to Temporarily Close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:00 a.m. to 10:15 a.m. for Community Purposes.

THIRD READING PROPOSED NO. 80-172
Clause 32, Report No. 64, 1980
and Clause 18, Report No. 66, 1980

(14) A By-Law to Amend By-Law No. 79-159, "A By-Law to Designate the City of Kingston as "Site Plan Control Area, Pursuant to Section 35(a) of the Planning Act, R.S.O. 1970, Chapter 349, As Amended". (Delete 3(b)(ii) and Replace with a New 3(b)(ii) and Add New Sections 6 and 7).

THIRD READING PROPOSED NO. 80-117
Clause 5, Report No. 45, 1980

(15) A By-Law to Amend By-Law No. 79-265, "A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee" (Add New Section 4(h)).

THIRD READING PROPOSED NO. 80-118
Clause 5, Report No. 45, 1980

UNFINISHED BUSINESS

ADJOURNMENT

Keyes

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
SEP 17 1980

CITY COUNCIL MEETING NO. 40

The Regular Meeting of City Council was held on Monday, August 11, 1980 commencing with an In Camera session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:00 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Gorham, Ald. Hawkins, Ald. Knapp (arrived at 7:07 p.m) Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller (arrived at 7:15 p.m.) Ald. Tarnowecky (arrived at 7:16 p.m.) Ald. Timmins, Ald. Webb (12)

COMMITTEE OF THE WHOLE IN CAMERA

(A) Moved by Ald. Bishop,
Seconded by Ald. Clements,

That Council resolve itself into the Committee of the Whole In Camera to consider the following item:

(1) Land Acquisition - Purchase or Lease - Lake Ontario Park

CARRIED

(Council Chamber)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clements, Ald. Gerretsen (arrived at 8:17 p.m.) Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer;
Mr. M.C. Healy, City Clerk;
Mr. N. Jackson, City Solicitor;
Mr. D. Graham, Commissioner of Works (arrived at 8:20 p.m.);
Mr. D. Fluhrer, Commissioner of Parks & Recreation;
Mr. K. Linseman, Administrator of Traffic, Streets & Parking (arrived at 9:35 p.m.);
Mr. S. Routbard, Administrator of Social Services.

(B) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Council rise from the Committee of the Whole In Camera without reporting.

CARRIED

A05

MINUTES

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That the Minutes of Meeting No. 38 held on July 28, 1980 be amended by adding the following to Clause 36 of Report No. 64 (Page 1383):

> "on the understanding that a fee for this permission will be negotiated by the Commissioner of Parks and Recreation for Council's later consideration."

- and -

that the Minutes of Meeting No. 38, as amended, and the Minutes of Meeting No. 39, held on August 5, 1980, be confirmed.

CARRIED

PETITION

A petition, protesting against flooding of basements and appealing to council for immediate action, signed by 10 residents of Smithfield Crescent was presented by Ald. Lampropoulos.

REFERRED TO THE COMMISSIONER OF WORKS FOR REPORT TO THE COMMITTEE OF THE WHOLE

TABLING OF DOCUMENTS

(1) Copy of the eleventh Annual Report of the Credit Counselling Service of Kingston.

(2) Copy of the twelfth Annual Report of the Family Counselling Service of Kingston.

(3) From the Association of Municipalities of Ontario, a copy of Resolutions, Proposals and First Report of the Legislation and Resolutions Committee to be considered at the Annual Conference and Constitution in Toronto, from August 17th to August 20th, 1980.

(4) Copy of a Report entitled "Youth Job Corps Vandalism Project" which was prepared by a group of young people who were hired to work with the Kingston Police Force.

(5) A copy of the 1979 Annual Report of the Kingston Fire Department.

(Note: Copies were distributed to members of Council on July 28, 1980)

COMMUNICATIONS

Council consented to the addition of Communication Nos. 545 to 548.

Filed

(536) From the Frontenac Historic Foundation advising that they are in agreement with the resolution contained in Clause 1 of Report No. 49, 1980 concerning the preservation and maintenance of brick streets in the City of Kingston.

File No. 20-9

(537) From the Minister of Revenue forwarding a revised booklet explaining the GAINS program (Ontario Guaranteed Annual Income System). Also, an information booklet is being prepared on a program of Property and Sales Tax Grants for senior citizens and copies of this publication will be forwarded in the near future.

File No. 17-7

(538) From Captain & Mrs. R. Carnegie thanking the City for the flowers they received on the occasion of their 60th Wedding Anniversary.

File No. 3-6

(539) From the Kingston & District Folk Arts Council thanking the city for its donation of $2,200.00 for the 1980 season of community work.

File No. 7-3

(540) From the Ontario Municipal Board in the matter of Section 14 of The Municipal Act (R.S.O. 1970, c. 284) and in the matter of an application by The Corporation of the Township of Kingston for annexation to the township of part of Lot 15, Concession 2, in the City of Kingston, as described in By-law 79-76 of the application Corporation.

Since no objection to the application has been filed, the application will be granted.

After the expiration of the 28 days statutory period, an Order of the Board will issue annexing to the Township of Kingston, as described above, effective September 1, 1980. (Widening of East Side of Armstrong Subdivision Road).

File No. 21.4-11

(541) From the Liquor Licence Board of Ontario advising that application has been made to the Board for the issue of a liquor licence to the Top Card Restaurant, 35 Rideau Street, Kingston, for additional dining lounge facilities.

When the application has been scheduled for a public hearing, the Board will provide the City with a copy of their letter to the applicant setting out the date, time and place of the hearing.

File No. 12-6

COMMUNICATIONS (Cont'd)

Filed

(542) From the Regional Assessment Office, 1055 Princess Street, Kingston, advising that recently, new 1980 assessment equalization factors were published in the Ontario Gazette.

As required under Section 71 of The Assessment Act, the Ministry has developed a procedure to calculate the equalized assessments and equalization factors. A copy of the calculation sheet for the City of Kingston has been forwarded.

File No. 1-3.2

(543) From the N.I.P. Co-ordinator/Housing Information Officer advising that the present residency rule (rent-geared-to-income units) will be discontinued in all municipalities across the Province of Ontario on January 1, 1981. Then the only residency requirement applicable to applicants to a Housing Authority under the Ontario Housing Corporation will be one years residency in the Province of Ontario. All Housing Authorities in Ontario were asked to eliminate the local residency rule earlier if possible.

File No. 11-8

Referred to the Committee of the Whole

(544) From the N.I.P. Co-ordinator/Housing Information Officer advising that Mr. Matthews, Chairman of the Residency Appeal Committee, has requested that the following tentative resolution be presented to Council for consideration:

"*Whereas the Province of Ontario assumed the municipal share of losses on Kingston Housing Authority Rent-Geared-to-Income Units as of April 1, 1980, and*

Whereas the Ontario Housing Corporation has directed the Kingston Housing Authority to eliminate the 12 months residency in Kingston rule on or before January 1, 1981, and

Whereas after January 1, 1981 any resident in the Province of Ontario for 12 months may apply for and be housed in a unit in the City of Kingston, and

Whereas the proximity of institutions, such as Millhaven, Frontenac, Joyceville, etc., attract relatives and friends of the inmate population, and

Whereas many of these non-residents may apply to, and be housed by the Kingston Housing Authority, and

Whereas many of those so housed apply for welfare and require other municipal services, and

Whereas this creates an unusual financial burden on the Kingston taxpayers,

Therefore be it resolved that the City of Kingston request the Government of Ontario to assume the municipal 20% of welfare cost for all non-residents of Kingston housed by the Kingston Housing Authority, and

Be it further resolved that copies of this resolution be forwarded to Honourable Keith Norton, M.P.P. "

File No. 19-7

COMMUNICATIONS (Cont'd)

Referred to the Committee of the Whole

(545) From the Sydenham Ward Tenants' and Ratepayers' Association stating that By-law 9309 (Noise Control) has proved valuable and effective in dealing with night time noises and that the Association approves the motion to extend control to daytime noise for the following reasons:

1. Neighbours of recent duplex additions might no longer decide to move to quieter areas.
2. Elderly people living in the ward will be able to enjoy their gardens once more.
3. Students in noisy areas could use this amendment to ensure a minority does not create an atmosphere in which it is impossible to work.
4. To make people aware that noise pollution is as destructive to our environment and enjoyment of life as is any other form of pollution.

(Note: Copies have been distributed to all members of council)

(See Motion (1), Page 1513)

File No. 2-1.2

Referred to the Planning Board

(546) From the Association of Women Electors of Kingston Area requesting the city's consideration of the following comments related to the Howard Johnson Site Plan Control Application:

1. The Association emphasizes the importance of public access to the grounds and to the hotel from the lakefront and Brock Street sides as a complement to the enjoyment of the walkway and waterfront area. They have commended phase one of the plan for providing this in the outdoor cafe adjacent to Brock Street and it is their hope that this emphasis will be continued in all phases of any plan given approval.
2. Will the landscaped area north of the pool in phase one be available for public use?
3. The Association points out that the proposed additions to the north of the pool directly contravene council's decision of May 20, 1980 that no enclosed structures be permitted on the new lands to be leased. Also, they wish to draw attention to a further council resolution of that date which would prohibit the building of any structure which would obstruct the Firehall view.
4. With regard to the general area, the Association is again requesting that the city implement its waterfront policies by:
    - a) developing the walkway.
    - b) abolishing unsightly parking on the waterfront lands.
    - c) landscaping the area.
    - d) rezoning the space remaining for public use, e.g. the former railway rights of way acquired by the City, to the appropriate park designation.

File No. 20-12

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

(547) From Mr. David Herrington submitting alternate proposals with regard to the closing of Davidson Street.

File No. 20-9.12

Filed

(548) From Mr. Richard C. Oaks, Barrister and Solicitor, on the matter of the preservation of the cobbled surface of the lower blocks of Brock Street, Clarence Street and Johnson Street.

It is Mr. Oaks' opinion that these cobblestones are dangerous for pedestrians to walk on and he feels that the city might be exposing itself to personal injury claims.

File No. 21-5

COMMITTEE OF THE WHOLE

(A) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Council resolve itself into the Committee of the Whole to hear delegations, receive reports and to consider motions.

CARRIED

(B) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that the following delegation, reports and motions were considered in the Committee of the Whole as follows:

DELEGATION

(1) Ms Helen Woolridge, Managing Editor, Merritt Publishing Company Limited, was present re participation and sponsorship of a new book by Frances Smith on Andre Bieler's life.

(Note: Copy of proposal was distributed to all members of Council)

REPORTS

Ald. Bishop presented Report No. 65 of the Site Plan Control Committtee as follows:

Moved by Ald. Bishop,
Seconded by Ald. Hawkins,

That Report No. 65 of the Site Plan Control Committee be received and considered.

TABLED
(See following motion to table)

Moved by Ald. Tarnowecky,
Seconded by Ald. Webb,

That Report No. 65 of the Site Plan Control Committee be Tabled until the August 25th meeting of council and that the owners be requested to appear before council to explain their request for a deferred construction date.

CARRIED 13:1
Ald. Hawkins opposed

REPORT NO. 65

(Formerly Report No. 62, Meeting No. 38, 1980, which was withdrawn, and referred to Meeting of August 11, 1980)

To the Mayor and Aldermen: August 11, 1980

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

WHEREAS the owner has requested an extension to July 31, 1981;

THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

(See Schedule 'A' attached hereto - 2 pages)

TABLED

Respectfully submitted,

Bill Bishop
John Clements
Joe Hawkins

Schedule 'A' to Report No. 65
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule 'A'to Report No. 65
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

Council consented to the addition of Clauses 22, 23, 24 and 25.

Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Report No. 66 of the Chief Administrative Officer be received and adopted.

REPORT NO. 66

August 11, 1980

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1 A. That the report of the Commissioner of Parks and Recreation attached hereto as Schedule "A", 1 page, concerning further free day(s) at the Steam Museum be considered.

CARRIED

1 B. Moved by Ald. Gerretsen,
Seconded by Ald. Timmins,

That, as recommended by the Commissioner of Parks & Recreation, a maximum of two free days at the Steam Museum be approved, the number of days to be at the discretion of the Commissioner of Parks & Recreation.

CARRIED

Ald. Bishop declared a conflict of interest in Clause 2 since he will be attending this function.

2. That as recommended by the Commissioner of Parks and Recreation, permission is hereby granted to the Progressive Conservative Party of Ontario to erect and to operate a beer tent at Lake Ontario Park on the occasion of their picnic on August 26, 1980.

CARRIED 12:1
Ald. Clements opposed
Ald. Bishop abstained from voting

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

3. That the approval of The Corporation of the City of Kingston is hereby given to the Kingston Y.M.C.A.-Y.W.C.A. to have a Special Occasion Permit for the sale of beer in a tent on the grounds of the "Y" on the occasion of the Fall "Open House" and celebration of the 125th Anniversary of the Kingston Y.M.C.A.-Y.W.C.A. on Saturday, September 13, 1980 and being of community benefit.

(Note: See copy of letter of application attached hereto as Schedule "B", 2 pages)

CARRIED 13:1
Ald. Miller opposed

Ald. Webb declared a conflict of interest in Clause 4 since he is a Life Member of one of the organizations concerned.

4. That the approval of The Corporation of the City of Kingston is hereby given to both Branch No. 9 and Branch No. 560 of the Royal Canadian Legion, to have a Special Occasion Permit for the sale of alcoholic beverages at both branches on the occasion of their "Open House" during Legion Week on Sunday, September 21, 1980 from noon to 6:00 p.m., it being of community benefit.

CARRIED
Ald. Webb abstained from voting

5 A. That the copy of the report of the Local Architectural Conservation Advisory Committee on the potential historical and/or architectural designation of buildings in the Downtown Redevelopment Area, tabled as Document No. 2 at City Council Meeting No. 38, held July 28, 1980, and which was referred to the Committee of the Whole, be now considered.

(Note: Copies of the Report were distributed to all members of Council for the previous meeting)

NOT CONSIDERED
(See following motion which was approved instead)

5 B. Moved by Ald. Bishop,
Seconded by Ald. Knapp,

That the report of the Local Architectural Conservation Advisory Committee on the potential historical and/or architectural designation of buildings in the Downtown Redevelopment Area be considered at a special meeting of council to be held prior to October 1, 1980;

- and further -

That the views of affected owners and/or lessees be obtained, that various interest groups such as the Downtown Business Association, the Downtown Core Committee and the MIDA group, be invited to this meeting, and that pictures or slides of the subject buildings be made available.

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

6. That the request of the City of Brampton for the City of Kingston (and other Ontario Municipalities) to express its view as to its preference for either a one, or a two, or a three year term for municipal council be answered as follows:

> The members of the council of the Corporation of the City of Kingston prefer a term of office of three years.

(Note: See copy of letter of Minister of Intergovernmental Affairs to the City of Brampton attached hereto as Schedule "C", 1 page)

CARRIED AS AMENDED 8:6
(See following motions)

Moved by Ald. Knapp,
Seconded by Ald. Gorham,

That the word "two" be inserted in Clause 6 as council's preference.

(See following motion to amend)

Moved by Ald. Bishop,
Seconded by Ald. Miller,

That the motion of Ald. Knapp and Ald. Gorham be amended to delete the word "two" and add the word "three".

CARRIED
Ald. Timmins, Ald. Matthews, Ald. Knapp and Ald. Clements opposed

Ald. Miller withdrew at 9:14 p.m. and returned at 9:16 p.m.

7. That as recommended by the City Treasurer, List of Accounts No. 7 dated July, 1980, in the amount of $3,076,395.58, for expenditures incurred under proper authorization, be approved.

(Note: A copy of the List of Accounts No. 7 was distributed to all members of council on August 8, 1980)

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

8.(A) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Clause 6, Report No. 64, of the Chief Administrative Officer, now known as Clause 8.(B), Report No. 66 of the Chief Administrative Officer, as follows, be lifted from the table and considered:

CARRIED

8.(B) That, as recommended by the City Solicitor, the City pay the following amounts to Michael Borenka to settle a dispute with regard to the location of a fence at the northwest corner of First Avenue and County Lot 267, Plan 137, in the City of Kingston:

Repair of Fence	$210.00
Survey Cost - Borenko	260.00
Legal Costs	250.00
Total	$720.00

- and further -

That the following budget transfer be approved:

	Increase	Decrease
Finance Miscellaneous	$720.00	-
Finance Contingencies	-	$720.00

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "D", 1 page)

CARRIED

9.(A) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Clause 33, Report No. 64 of the Chief Administrative Officer, now known as Clause 9.(B), Report No. 66 of the Chief Administrative Officer, as follows, be lifted from the table and considered.

CARRIED

9.(B) That as recommended by the Administrator of Traffic, Streets and Parking, no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "E", 2 pages)

CARRIED 10:4

Ald. Lampropoulos, Ald. Matthews & Ald. Timmins opposed

(See following motion of amendment which was Lost)

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

9.(B) (Cont'd)

Moved by Ald. Matthews,
Seconded by Ald. Lampropoulos,

That Clause 9(B) be amended to provide that the "Yield" sign on McMahon Avenue and Avenue Road be removed and replaced with a "Stop" sign, and that a two-way "Stop" sign be placed at Avenue Road and McMahon intersection.

LOST 4:10

10. That as recommended by the Commissioner of Works, the pavements, curbs and gutters, sidewalks, walkways and boulevards in Greenridge Subdivision, Phases I, II and III, be accepted subject to payment of outstanding accounts and that deposits, in the amount of $2,700.00 from the Developer, Dacon Corporation Limited, to cover deficiencies which have been corrected, be released.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "F", 1 page)

CARRIED

11. That as recommended by the Commissioner of Works the Subdivision Agreement dated October 24, 1978 between Bertan Investments Ltd., the Corporation of the City of Kingston and the Public Utilities Commission be amended so as to extend the date of completion for all services under Clause 1(a) of the agreement from June 30, 1979 to October 30, 1981.

(Note: See copy of Report of the Commissioner of Works attached hereto as Schedule "G", 1 page)

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

12. That as recommended by the Commissioner of Works, since a sufficiently signed petition for the work has been received, a by-law be presented to Council to authorize the construction of a concrete sidewalk (1.5 m wide, including road shoulder widening) in Thomas Street, south side, from Cowdy Street easterly 82.43 m under the provisions of Section 7 of The Local Improvement Act.

Costs are as follows:

Total estimated cost	$14,247.50
Owner's share	4,121.35
City's share	7,253.65
M.T.C. subsidy	2,872.50
Debenture amount	11, 375.00

it being noted that adequate funds are available in the 1980 Capital Budget for this purpose.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "H", 1 page)

(See By-Law 2: No. 80- 177)

CARRIED

Ald. Tarnowecky and Ald. Timmins withdrew at 9:50 p.m.

13. That as recommended by the Commissioner of Works, the renewal of the asphalt sidewalk on the west side of Palace Road, from Johnson Street northerly 83.82 m is hereby authorized to be done by day labour instead of by contract.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "I", 1 page)

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

14. That as recommended by the Airport Administrator, the release of the 15% holdback on the contract with E.S. Fox Limited for the installation of runway end marker strobe lights at the Norman Rogers Airport, being $3,150.00, is hereby authorized.

(Note: A copy of the Report of the Airport Administrator is attached hereto as Schedule "J", 1 page)

CARRIED

Ald. Bishop declared a conflict of interest in Clause 15 since he is a member of the Jaycees.

15. That as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to Council to close Patrick Street from Balaclava Street to Quebec Street to vehicular traffic on a temporary basis on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for community purposes in order that the Kingston Jaycees annual "Over-the-Hill" Soap Box Derby may be held.

(Note: A copy of the report of the Traffic, Streets and Parking Administrator is attached hereto as Schedule "K", 1 page)

(See By-Law 3 : No. 80-178)

CARRIED
Ald. Bishop abstained from voting

Ald. Tarnowecky returned at 9:58 p.m.
Ald. Timmins returned at 10:00 p.m.

16. That as recommended by the Chief Administrative Officer, the following resolution of the City of Trenton be filed:

"WHEREAS a special committee of council was appointed in 1979 to review Departmental budgets and consider methods of reducing costs;

AND WHEREAS nineteen areas were selected for study and review and it was found that Police and Fire protection constitute almost 20% of the Town's overall expenditures;

AND WHEREAS the fulltime Firefighters, representing 10.8% of all municipal employees receive 13.6% of all salaries paid to fulltime municipal staff and fulltime Police Officers, representing 28% of staff receive 35.5% of all salaries paid to fulltime employees;

AND WHEREAS Fire Department and Police Department salaries are frequently settled through arbitration awards;

AND WHEREAS such awards are usually related to salaries paid to these Departments in other municipalities rather than having regard to local salaries paid and economic conditions in the municipality;

BE IT RESOLVED THAT:

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

16. (Cont'd)

(1) The Minister of Labour be requested to advise us of the criteria and principles used by arbitration award chairmen in dealing with Fire and Police Department wage settlements.

(2) A policy be established by the said Minister whereby such awards will be granted on the basis of local private sector wages paid and having regard to local economic conditions.

(3) The Minister be requested to advise Council of his decision regarding this proposed policy.

(4) This resolution be forwarded to the Ontario Minister of Labour, the Association of Municipalities of Ontario for endorsement at its annual convention, and to Mr. Hugh O'Neil, M.L.A."

(Note: See copy of Report of the Chief Administrative Officer attached hereto as Schedule "L", 4 pages)

CARRIED

Ald. Clements withdrew at 10:00 p.m. and returned at 10:06 p.m.

17. That as recommended by the Assistant to the Social Services Administrator, the following be adopted as a policy of The Corporation of the City of Kingston:

> That when municipally-operated daycare centres are under-enroled, non-residents who are willing to pay full daycare fees be allowed to enrol children, on the condition that non-resident children would be expected to withdraw when positions are needed by city residents.

(Note: A copy of the Report of the Assistant to the Social Services Administrator is attached hereto as Schedule "M", 1 page)

CARRIED 12:2

Ald. Knapp & Ald. McArthur opposed

18. That as recommended by the Commissioner of Parks and Recreation, By-law No. 80-172, "A By-Law to temporarily close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:30 a.m. to 10:15 a.m for community purposes", be amended on Third Reading to change the time of closing from "9:30 a.m." to "9:00 a.m.", one half hour earlier.

(See By-Law 13 : No. 80-172)

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

19. That as recommended by the Social Services Administrator, the request of the John Howard Society of Kingston and District to change receiving an annual grant from the City to a "fee for service" system be NOT APPROVED.

(Note: A copy of the Report of the Social Services Administrator is attached hereto as Schedule "N 1 page)

CARRIED

Ald. Hawkins declared a conflict of interest in Clause 20 since his wife is a City employee.

20. That as recommended by the Social Services Administrator and as recommended by the Sub-Committee on Car Allowances, effective as of June 1, 1980, the monthly car allowance of the Director of the Work Activity Project be increased from $30.00 per month to $80.00 per month.

(Note: A copy of the Report of the Social Services Administrator is attached hereto as Schedule "O", 1 page)

CARRIED
Ald. Hawkins abstained from voting

21. That the request of the Minister of Community and Social Services, Communication No. 534, for the City of Kingston, together with the County of Frontenac, to appoint within 10 days of August 5, 1980, a member of the Review Committee to review the amount of the 1980 estimates of expenditures of the Children's Aid Society of the City of Kingston and the County of Frontenac, be considered and that the Chief Administrative Officer and the Mayor be empowered to confer with the Warden and Clerk of the County of Frontenac with regard to the appointment and report back to Council.

CARRIED AS AMENDED
See following motion of amendment

Moved by Ald. Miller,
Seconded by Ald. Timmins,

That Clause 21 be amended by adding the following:

"and that the Chief Administrative Officer and the Mayor be empowered to confer with the Warden and Clerk of the County of Frontenac with regard to the appointment and report back to council."

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

Ald. Miller declared a conflict of interest in Clause 22 since she is an employee of Queen's University.

22. That, as recommended by Mayor Keyes, permission be granted by City Council for the City of Kingston flag (blue) to be flown from George Richardson Memorial Stadium on Saturday, September 13, 1980, when Queen's University proclaims "Kingston Day" at Queen's.

CARRIED
Ald. Miller abstained from voting

23. That, as recommended by the Chief Administrative Officer, the following resolution from the City of Sudbury be adopted and that the Association of Municipalities of Ontario be notified of this particular resolution:

> "WHEREAS Section 57(2) of The Surveys Act, R.S.O. 1970, c.453 as amended, provides that where a highway, lane or walk shown and described on a registered Plan of Subdivision has not been assumed for public use by the Municipality having jurisdiction and it or any part of it is closed, it or the part of it so closed belongs to the owners of the land abutting thereon;
>
> AND WHEREAS it is desirable that Section 57 be amended to provide that where an unassumed highway, lane or walk on a registered Plan of Subdivision or any part thereof is closed, it or any part of it so closed shall vest in the name of the Municipality having jurisdiction and thereafter may be sold, leased or otherwise disposed of by the Municipality at its discretion;
>
> THEREFORE BE IT RESOLVED that the Province of Ontario be requested to amend Section 57 of The Surveys Act to provide that all highways, laneways or walks shown and described on registered Plans of Subdivisions or any part thereof, not assumed for public use by the Municipality having jurisdiction, shall upon closure, vest in the name of the Municipality and may thereafter be sold, leased or otherwise disposed by the Municipality at its discretion.
>
> AND FURTHER BE IT RESOLVED that this resolution be forwarded to the Association of Municipalities of Ontario for consideration at its Annual Conference and to all those Municipalities in Ontario having a population of between 50,000 and 100,000."

(Note: See copy of Report of the Chief Administrative Officer attached hereto as Schedule "P", 2 pages)

CARRIED

REPORTS (Cont'd)

Report No. 66 - Chief Administrative Officer

24. That, as recommended by the Commissioner of Works, authorization is hereby given to purchase 50 feet of 54" diameter corrugated steel pipe at a total estimated cost of $3,500, it being understood that if additional costs of $1,500. are required for the installation of the pipe due to delivery of pipe occurring after the contractor has passed the location of the obstructing sign, that the sign company be requested to pay an additional $1,500. and if any funds are not obtained from the sign company the amount not recovered is to be charged to the 1980 budget account - "maintenance of storm sewers".

(Note: See report of the Commissioner of Works dated August 11, 1980 which is attached hereto as Schedule "Q", 3 pages)

CARRIED

25. That, as recommended by the Commissioner of Works, no petition be made by the Corporation of the City of Kingston to the Corporation of the Township of Pittsburgh against the construction, as a local improvement, of a water main along the Highway No. 2 frontage of the Water Pollution Control Plant to a new reservoir, but since the benefit that the city derives from this work is quite limited and a connection to the new main would primarily serve the purpose of providing drinking water to the three employees employed at the Water Pollution Control Plant, the Township of Pittsburgh be requested to grant the city's property the same exemption that it has granted to residential properties.

(Note: See copy of Report of the Deputy City Engineer dated August 8, 1980 which is attached hereto as Schedule "R", 1 page)

CARRIED

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Schedule "A" to Report No. 66
(Page 1)

MEMORANDUM

TO: R.J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: August 7, 1980

SUBJECT: MUSEUMS DAY

ANALYSIS: This past holiday weekend, and with the approval of Council, our Steam Museum along with 13 other museums staged a Kingston Museum Day. The promotion, to get our local people into our local museums, took the form of positive news media support from both the Whig and Kingston This Week along with the radio and T.V. media.

Further, we placed advertisements in the paper which included a coupon, which provided free admission to those museums that charge (excluding Old Fort Henry, of course).

The results were astonishing and very rewarding. Interestingly, the number of visitors to our Steam Museum was approximately 1300 to 1400 for the one day, (5 times higher than any previous single day over the past 4 or 5 years) and also, our gate receipts and souvenirs sales were also higher than any previous day. (This came from out of town visitors who had no coupon, and also from people who had coupons but insisted on paying.)

RECOMMENDATION: We feel, the goal to get our local people in our local museums began to work but there are still thousands who have not done so. Therefore it is recommended that on one or two more days, between now and the end of our operating season, be declared free to our local citizens. This request applies to our museum only and does not intend others to follow suit unless they so wish.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DRF/cb

Schedule "B" to Report No. 66
(Page 1)

KINGSTON YMCA-YWCA
100 WRIGHT CRESCENT, KINGSTON, ONTARIO K7L 4T9 Telephone 546-2647

President: Peter Crawford
Executive Director: S. Ortmayr

August 5, 1980.

PARKS AND RECREATION
AUG 6 1980
REC'D.

Mr. Douglas Fluhrer,
Director of Parks & Recreation,
City Hall,
216 Ontario Street,
Kingston, Ontario.
K7L 2Z3

Dear Sir,

The Kingston YMCA-YWCA is planning our Fall "Open House" Program and celebration of our 125th Anniversary, to be held Saturday September 13th, 1980 at the Kingston YM-YWCA.

Activities will take place both inside and outside the 'Y' building and it is our intention to set up a beer tent outside.

We will comply with all the regulations as outlined to us in this connection and, therefore, we are requesting City Council provide us with a resolution in writing, granting us permission to hold this event.

Your co-operation would be greatly appreciated.

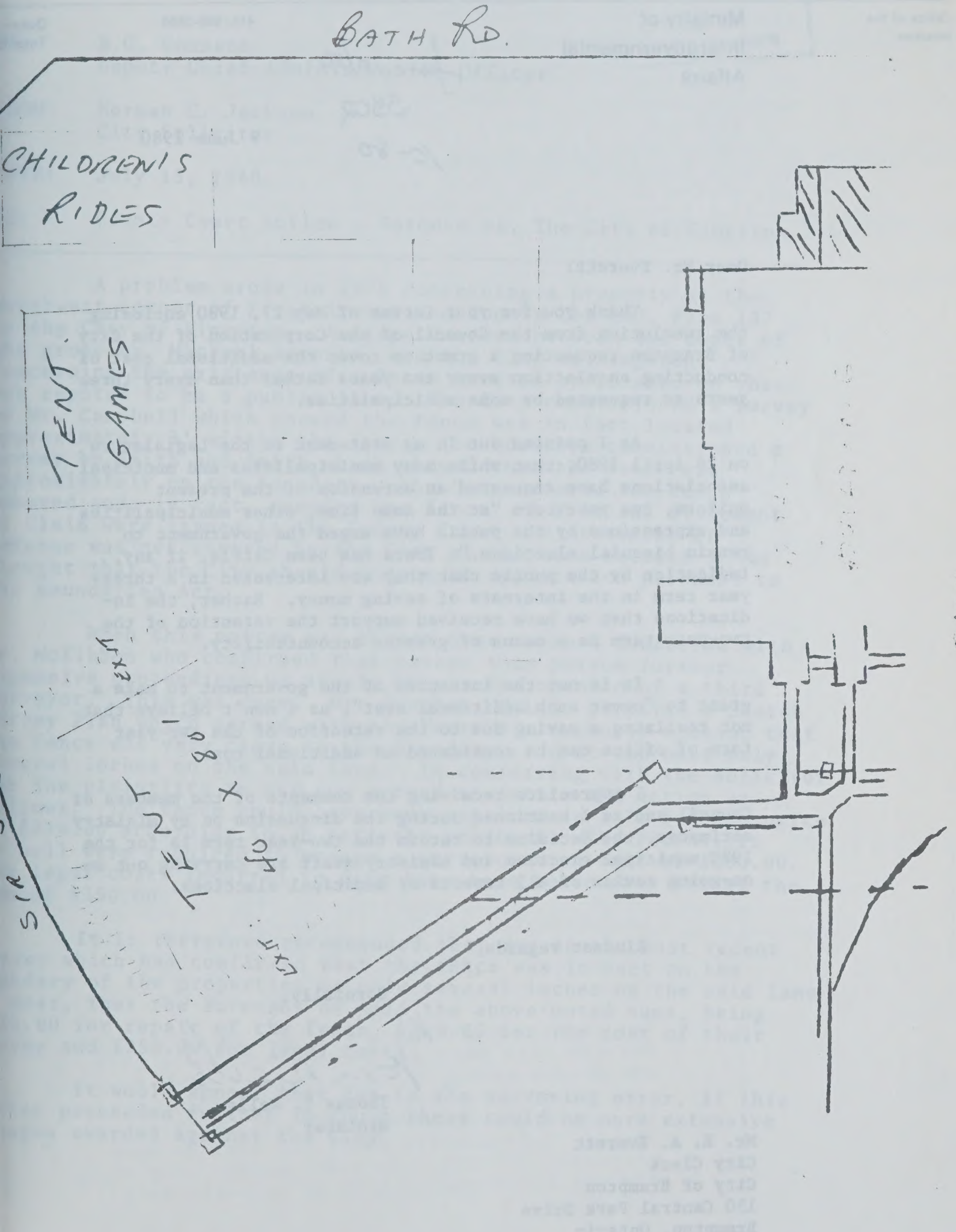
Sincerely yours,

S. Ortmayr
Executive Director

SO/mn

A United Way Agency

Schedule "B" to Report No. 66
(Page 2)


BATH RD.
CHILDREN'S RIDES
TENT GAMES
EXIT
TENT 80' x 40'
EXIT

Schedule "C" to Report No. 66
(Page 1)

Office of the
Minister

Ministry of
Intergovernmental
Affairs

416/965-3606

Queen's
Toronto,

June 18/80
3502
10-80

9 June 1980

Dear Mr. Everett:

Thank you for your letter of May 27, 1980 enclosing the resolution from the Council of the Corporation of the City of Brampton requesting a grant to cover the additional cost of conducting an election every two years rather than every three years as requested by some municipalities.

As I pointed out in my statement to the Legislature on 24 April 1980, that while many municipalities and municipal associations have requested an extension of the present uniform, two year term "at the same time, other municipalities and expressions by the public have urged the government to retain biennial elections." There has been little, if any, indication by the public that they are interested in a three-year term in the interests of saving money. Rather, the indications that we have received support the retention of the two-year term as a means of greater accountability.

It is not the intention of the government to make a grant to "cover such additional cost", as I don't believe that not realizing a saving due to the retention of the two-year term of office can be considered an additional cost.

I appreciate receiving the comments of the members of Council and as I mentioned during the discussion on my ministry estimates, the decision to retain the two-year term is for the 1980 municipal election and ministry staff are carrying out an on-going review of all aspects of municipal elections.

Kindest regards,

Cordially,

Tom Wells

Thomas L. Wells
Minister

Mr. R. A. Everett
City Clerk
City of Brampton
150 Central Park Drive
Brampton, Ontario
L6T 2T9

Schedule "D" to Report No. 66
(Page 1)

Office of the
City Solicitor
Our Ref: L-18

CITY OF KINGSTON
JUL 17 1980
OFFICE OF
CITY TREASURER

MEMORANDUM

TO: B.G. Cousens
Deputy Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: July 15, 1980

RE: County Court Action - Borenko vs. The City of Kingston

A problem arose in 1971 concerning a property at the northwest corner of First Avenue and County Lot 267, Plan 137 in the City of Kingston. A dispute arose between the owner of the property, Michael Borenko, and the City of Kingston concerning the existence of a fence erected by Borenko on what was reputed to be a public lane. The City commissioned a survey by Mr. Campbell which showed the fence was in fact located approximately 5' within the lane. The Borenkos commissioned a survey by Smith and Smith which showed that the fence was approximately on the boundary. The City ordered the fence removed and, in fact, removed the fence. A Writ and Statement of Claim were issued in the County Court. A Statement of Defence was not entered by the City at the time because it was thought that the City should pursue an application pursuant to the Boundaries Act.

When this matter was turned over to me I conferred with Mr. McKibbon who confirmed that rather than pursue further expensive proceedings we should obtain the opinion of a third surveyor. This was done. Mr. Burgham, O.L.S. prepared a Sketch Survey Plan which agreed with the Borenko's surveyor showing that the fence was very close to the boundary, and at the most only several inches on the said lane. In conferring with the solicitor for the plaintiffs he has now agreed to settle the action as follows. The fence could have been repaired in 1972 for the price of $210.00 according to an estimate produced. The Plaintiffs as well were required to engage a surveyor at a cost of $260.00. The legal costs incurred to date have been reasonably set at the sum of $250.00.

It is therefore recommended that due to the most recent survey which has confirmed that the fence was in fact on the oundary of the properties or only several inches on the said lane at most, that the Borenkos be paid the above-noted sums, being $210.00 for repair of the fence, $260.00 for the cost of their survey and $250.00 for legal costs.

It would appear that due to the surveying error, if this atter proceeded further in court there could be more extensive amages awarded against the City.

CJ/nr

Norman C. Jackson
City Solicitor

.c. Doug Graham
Public Works

Schedule "E" to Report No. 66
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: July 25, 1980

SUBJECT: TRAFFIC CONTROL - REQUESTED THREE-WAY STOP SIGN - AVENUE ROAD AND McMAHON AVENUE

ORIGIN: Petition from residents

ANALYSIS:

1) The petitioners alleged that there are high volumes of traffic on Avenue Road as well as speeding along Avenue Road.

2) A meeting was held in my office with residents of the area, accompanied by Alderman Lampropoulos. At that meeting the residents and Alderman Lampropoulos were advised that it was the Department's opinion that a stop sign is unwarranted on Avenue Road and that we would include the intersection of Glengarry Road and Avenue Road, and the intersection of McMahon Avenue and Avenue Road in our annual traffic counting program, which has recently been completed. The traffic count revealed that the volumes on Avenue Road are very low, with only 800 vehicles per day between McMahon Avenue and Glengarry Road, in comparison with other neighbourhood minor collector streets. For example, Van Order Drive carries 2,500 vehicles per day and Norman Rogers Drive carries 3,500 vehicles per day, without any stop sign controls.

3) Several inspections of Avenue Road indicate that the speeds are not in excess of the speed limit.

4) The intersection of Avenue Road and McMahon Avenue is a "T" intersection which has a yield sign control on the McMahon Avenue approach, which is the stem of the "T". There are no intersections in the City in which stop signs or yield signs are located on the through street of a "T" intersection. They have always been located on the stem of the "T".

5) The accidents are extremely low at this intersection with only one minor accident in 1979, and none reported in 1980 to date. For accident comparison purposes, there are 77 intersections in Kingston mainly with stop sign control and signal light control which had four or more accidents in 1979. In other words, stop signs and traffic signal lights do not eliminate accidents.

6) Prior to my appointment, Avenue Road had been designated in the Official Plan as an arterial street with an 86 foot road allowance. The road was built years ago to arterial design strengths, that is, with 5½" asphalt. Potential traffic on Avenue Road at that time would have been in the vicinity of 15,000 vehicles per

Schedule "E" to Report No. 66
(Page 2)

NALYSIS: day. It was this Department that recommended to Council and negotiated with Alcan for a road allowance behind the rear of the houses east of the subdivision in order to provide a by-pass for through traffic.

7) When the subdivision north of Glengarry Road to Counter Street had been submitted to the City, no access was shown to Sir John A. Macdonald Boulevard. The main southerly access would have been via Avenue Road. To the surprise of Council, I recommended that Glengarry Road be connected to Sir John A. Macdonald Boulevard so that traffic from the large subdivision between Glengarry Road and Counter Street would not have to solely use Avenue Road; otherwise, the traffic on Avenue Road today would be in excess of 2,000 cars per day.

8) The stop sign is Kingston's most important regulatory sign, and its abuse should not be tolerated. Its function is to define right of way for the busier of two intersecting streets. It is not for the purpose of speed control.

LTERNATIVES: 1) Prohibit right and left turns from Glengarry Road onto Avenue Road, and either prohibit left turns from Avenue Road onto Glengarry Road or prohibit left turns from Sir John A. Macdonald Boulevard onto Avenue Road just north of Princess Street.

2) The completion of the four lanes on Sir John A. Macdonald Boulevard between Counter Street and Princess Street is scheduled for 1982. The functional design will consist of a median strip and a separate left turn lane at Glengarry Road. At that time the City will have to consider prohibiting left turns from Sir John A. Macdonald Boulevard at Avenue Road due to its proximity to Princess Street and due to the increased traffic on Sir John A. Macdonald Boulevard.

ECOMMENDATION: That no action be taken on the request for a three-way stop sign control at the intersection of Avenue Road and McMahon Avenue.

K.G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

L/c

Schedule "F" to Report No. 66
(Page 1)

AUG 7 1980

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date July 28, 1980

Subject Acceptance of aboveground services in Greenridge Subdivision, Phases I, II and III.

Origin Public Works Department

Analysis Although aboveground services in the subdivisions under reference were completed in 1977 some outstanding deficiencies were not completed until later. The Developer provided the City with a deposit of $2500. to cover these deficiencies.

In addition, the Developer had previously provided the City with a deposit of $200. to cover grading on the Board of Education property which has been satisfactorily completed.

Existing Policy It is the policy of Council to accept the aboveground services upon completion subject to the provision by the Developer of a two year guaranteed maintenance bond and payment of outstanding accounts. In this instance the two year guaranteed maintenance period has elapsed and accordingly a guaranteed maintenance bond would not be applicable.

In addition any deposits provided by the Developer to cover deficiencies is returned by Council upon correction of these deficiencies.

Recommendation That the pavements, curbs and gutters, sidewalks, walkways and boulevards in Greenridge Subdivision, Phases I, II, and III, be accepted subject to payment of outstanding accounts and that deposits, in the amount of $2700.00 from the Developer to cover deficiencies which have been corrected, be released.

jc/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "G" to Report No. 66
(Page 1)

AUG 6 1980

Memo to	Mr. R. J. Hamilton, Chief Administrative Officer
Date	August 1, 1980
Subject	Amendment of Subdivision Agreement with Bertan Investments Ltd. to extend the date of completion of services. (formerly Watts & Silver Florist Property).
Origin	Letter from Subdivider dated July 16, 1980.
Analysis	The Subdivision Agreement provides for the completion of all services by June 30, 1979.

The underground services have been completed and accepted by the City as of April 12, 1979. Above ground services excluding top asphalt, sidewalks and sodding were completed on September 1, 1979. So far only one house has been built in the subdivision. The Developer has stated that because of unfavourable economic conditions there has been little interest in the lots until recently. They have requested that they be allowed to complete the above ground services next year in order to avoid damage to the surface of the pavement, walk and sod during house construction.

No maintenance problems and no complaints have arisen because of the non-completion of the services. Ideally, any extension should allow for boulevard completion in the fall after road and sidewalk construction.

Recommendation It is recommended that the Subdivision Agreement dated October 24, 1978 between Bertan Investments Ltd., the Corporation of the City of Kingston and the Public Utilities Commission be amended so as to extend the date of completion for all services under Clause 1 (a) from June 30, 1979 to October 30, 1981.

jc/cl

D. Graham, P. Eng.
Commissioner of Works

Schedule "H" to Report No. 66
(Page)

AUG 6 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 1st, 1980

SUBJECT: Construction of concrete sidewalk (1.5 m. wide including road shoulder widening) in Thomas Street south side from Cowdy Street easterly 82.43 m.

ORIGIN: Public Works Department

ANALYSIS: This sidewalk was included in the tentative schedule of new sidewalks approved by Council earlier this year. A sufficiently signed petition for the subject work has been received. There is some walk in this block near Patrick St. This project will complete the walk in the block. It will tidy up the area and benefit school children as well.

EXISTING POLICY: When a sidewalk is constructed in a residential area for the first time it is done under the Local Improvement Act.

FINANCIAL: Adequate funds were provided in the 1980 Capital Budget. The 70:30 split of cost for a school walk has been used in the cost apportionment.

RECOMMENDATION: THAT, since a sufficiently signed petition has been received, a bylaw be passed to authorize the construction of a concrete sidewalk (1.5 m. wide including road shoulder widening) in Thomas Street, south side, from Cowdy Street easterly 82.43 m. under the provisions of Section 7 of the Local Improvement Act.

The costs are:

Total estimated cost	$14,247.50
Owner's share	$ 4,121.35
City's share	$ 7,253.65
M.T.C. subsidy	$ 2,872.50
Debenture Amount	$11,375.00

D. Graham, P. Eng.
Commissioner of Works

PL:CL

Schedule "I" to Report No. 66
(Page 1)

AUG 7 1980

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - 7 August, 1980

SUBJECT	Asphalt Sidewalk Renewal - Palace Road, West side Johnson St. northerly 83.82 m.
ORIGIN	Public Works Department
ANALYSIS	The above mentioned sidewalk formed part of a tentative schedule approved earlier this year by Council. The work is a type that the City Yard has been doing. It is proposed that the project be done by day labour.
FINANCIAL	The by-law which includes the renewal of this sidewalk provides an estimate of $2,010.00. For this amount the existing walk could be removed and replaced. The walk is in boulevard with most of the frontage on vacant City land. An overlay will be adequate over most of the length. The estimate from the City Yard is $600.00.
RECOMMENDATION	That the renewal of the asphalt sidewalk on Palace Road west side Johnson St. northerly 83.82 m. by day labour be authorized.

D. Graham, P. Eng.,
Commissioner of Works

Schedule "J" to Report No. 66
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Kingston Airport

DATE: July 31, 1980

SUBJECT: AIRPORT - RELEASE OF HOLDBACK - E. S. FOX LIMITED - RUNWAY END MARKER STROBE LIGHTS

ORIGIN: Request from E. S. Fox Limited for release of holdback in the amount of $3,150.00;

ANALYSIS:

1) Inquiry No. 78-72 and Agreement dated December 8, 1978, between E. S. Fox Limited and the Corporation of the City of Kingston covered the supply and installation of marker strobe lights at both ends of Runway 19L, Norman Rogers Airport, for a total price of $21,000.00.

2) Installation of the runway end marker strobe lights and necessary wiring to the control panel has now been completed by the contractor to the satisfaction of

   a) airport management;
   b) Ontario Hydro; and
   c) Transport Canada.

3) A one year guarantee commencing May 29, 1980, has been received from E. S. Fox Limited with respect to their workmanship and materials in this installation.

FINANCIAL CONSIDERATIONS: The necessary funds were allocated in 1978 and have been retained for this purpose.

RECOMMENDATION: That the 15% holdback on the contract for the installation of runway end marker strobe lights at the Kingston Airport in the amount of $3,150.00 be released to the contractor, E. S. Fox Limited.

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "K" to Report No. 66
(Page 1)

AUG 7 1980

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking Department

DATE: August 5, 1980

SUBJECT: TEMPORARY STREET CLOSING - PATRICK STREET FROM BALACLAVA STREET TO QUEBEC STREET

ORIGIN: Request from Kingston Jaycees Inc. to close Patrick Street to vehicular traffic on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m.

ANALYSIS:

1) The Kingston Jaycees are planning to hold their annual "Over-the-Hill" Soap Box Derby on Monday, September 1, 1980.

2) Traffic volumes are usually very low on Patrick Street on Labour Day.

3) Previous closings for this event have caused no traffic problems.

EXISTING POLICY: Permission has been granted by Council in past years to permit the temporary closing of Patrick Street for this annual event.

RECOMMENDATION: That a by-law be presented to Council to grant permission to the Kingston Jaycees Inc. to temporarily close Patrick Street from Balaclava Street to Quebec Street to vehicular traffic on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for community purposes.

K. G. Linseman

K. G. Linseman, M.Sc., P. Eng.
Administrator

/c

Schedule "L" to Report No. 66
(Page 1)

FROM
Mr. R.J. Hamilton, C.A.O.

SEND TO
M.C. Healy,
City Clerk.

DATE
August 5, 1980

SUBJECT
Trenton Resolution

MESSAGE

We have forwarded this resolution to the Police Commiss Fire Chief and Mr. Ready for comment and input and you will take note that the Police Commission have agreed to support part of the resolution only.

Based on the position expressed by the Departments, I would recommend that this resolution be filed.

R.J. Hamilton,
C.A.O.

DATE: July 9, 1980.

TO: Mr. R.J. Hamilton,
Chief Administrative Officer.

FROM: Mr. K.S. Ready,
Director of Personnel.

SUBJECT: Resolution - City of Trenton.

I have reviewed the resolution as drafted by the Deputy Clerk and Council of Trenton.

My first comment would be that Trenton may be addressing the resolution to the wrong person. In general, the Solicitor General has jurisdiction over all arbitration matters respecting Fire and Police.

Resolutions of this nature have been submitted by individual municipalities, the Ontario Municipal Personnel Association, the Association of Municipalities of Ontario, a group of mayors of Western Ontario, and other assorted groups, for the past decade. In recent years the O.M.A. through the Municipal Liaison Committee submitted an excellent brief which carried a good deal of political clout, but unfortunately also terminated on the shelf.

I think our municipality should support Trenton in their resolution, if for no other reason than to create still more pressure on the Solicitor General's department in this matter. We cannot feel that the resolution will have the same impact as similar resolutions supported by large organizations, but still it may help some.

SIGNED: K.S. Ready
Mr. K.S. Ready,
Director of Personnel.

KSR:dmm

Schedule "L" to Report No. 66
(Page 2)

JUL 31 1980

CITY OF KINGSTON
BOARD OF COMMISSIONERS
OF POLICE

S ALL CORRESPONDENCE TO
ETARY OF THE BOARD

POST OFFICE BOX 1001
KINGSTON, ONTARIO
K7L 4X8

July 30th, 1980.

Mr. M. Healy,
City Clerk,
City Hall.

Dear Sir:

With reference to your recent memorandum, with which you enclosed a copy of a letter to the Honourable Robert G. Elgie, M.D., Minister of Labour from the Deputy Clerk of Trenton, and a copy of a resolution from the City Council of Trenton.

Please be advised that at the regular meeting of the Board of Commissioners of Police, held on July 17th, the following resolution was passed and carried:-

> "That City Council be advised that the Board had discussed the resolution made by Trenton City Council and it was the unanimous feeling of the Board that they agreed to support Part 1 of the Resolution, however, they felt they should not endorse Parts 2, 3 and 4."

It would be appreciated if you would bring the response of the Board to City Council's attention, for reply.

Yours truly,

JW Kealey

J. W. Kealey,
Secretary.

JWK:gh

Copy to: His Honour Judge A. R. Campbell.

Schedule "L" to Report No. 66
(Page 3)

AUG 5 1980

OFFICE OF THE FIRE CHIEF

[illegible] STREET FIRE STAT
KINGSTON ONTARIO

August 1,1980.

TO: Mr. R.J. Hamilton, C.A.O.

FROM: K.A. Cowdy, Fire Chief.

SUBJECT. TRENTON RESOLUTION

As requested by memo July 8th, 1980, I submit the following comments for your consideration.

The resolution has been forwarded to the Ministry of Labour; a Municipal Council is totally responsible for fire protection with legislation under the Ministry of the Solicitor General setting procedures for negotiations. Therefore, comments or complaints would appropriately be forwarded to the latter ministry.

In reviewing the percentage stats in the third whereas, I find it difficult to make a comparison between Kingston and Trenton (size of municipality, type, structure and size of Fire Department, etc.).

In my view the Council of Trenton, over several years, neglected to establish reasonable salary levels for its employees creating the situation where the arbitrator felt obliged to grant substantial increases.

As for comparison between Police and Fire staff, Council as you know has little control over police negotiations as they are responsible to a Commission with only one member being an elected official.

Hoping these comments will assist you in your recommendations to Council.

Yours truly,

KA Cowdy

K.A. Cowdy,
Fire Chief.

KAC/bd

Schedule "L" to Report No. 66
(Page 4)

June 27, 1980

The Honourable Robert G. Elgie, M.D.
Minister of Labour
Queen's Park
Toronto, Ontario

Dear Doctor Elgie:

As a result of a recent cost-cutting review of our municipal budget, Council has come to the conclusion that one of the areas where costs continue to escalate beyond the norm, is in police and fire protection.

It is obvious that the main reason for these increased costs is salaries and benefits, and that this situation has resulted from the requirement to settle wage contract disputes through arbitration.

The philosophy followed by most, if not all, arbitration chairmen is that police officers and firemen should be paid the same salary in all comparably-sized municipalities and that their benefits should be the same across the Province.

This philosophy has made it very difficult, if not impossible, to negotiate with these employees. They know, from past experience, that if they can show where another similar-sized municipality is receiving a higher salary, they will probably get that salary awarded to them, regardless of the percentage increase it represents. The same is also true concerning benefits.

Alternatively, they will play one against the other - demanding wage parity for firemen with policemen or a wage gap for policemen over firemen. These principles are, apparently, acceptable arguments by arbitration chairmen.

Trenton Council feels that the only way to get these increases back to a more responsible level and to obtain more settlements through negotiation rather than arbitration, is to establish a policy or guidelines for boards of arbitration, whereby only local wage settlements and economic conditions will be considered in reaching a decision and that settlements in other areas of the Province will not be a factor.

Council has passed the enclosed resolution requesting your consideration of such a policy.

You will note that the resolution also asks that Council be advised of your decision and comments in this matter.

We trust this subject will receive the serious consideration it deserves.

Yours truly,

Arden Royce, A.M.C.T.
Deputy Clerk

AR:srr
Encl.

TO: R. J. Hamilton
Chief Administrative Officer

DATE: July 11, 1980

FROM: S. R. Cameron
Assistant to the Administrator

SUBJECT: Admission of non-residents to municipally operated daycare centres.

ORIGIN: Department of Social Services in consultation with the Ad Hoc Committee on Daycare Centres and Nursery Schools.

ANALYSIS: In the past, the policy of the City has been that only city residents or non-residents owning property (and hence paying taxes) in the City could enrol a child in a municipally-operated daycare centre. (Please see attached minutes from Community Services Committee meetings.)

This policy disallows the enrolment of a non-resident child whose parents are not taxpayers, even in situations where the family is willing to pay full daycare fees, and where there are vacancies in the city centres.

FINANCIAL CONSIDERATIONS: The costs of staffing and maintaining the city centres are constant whether they are operated at full enrolment or with a vacancy rate. During periods when centres operate with a vacancy rate, it would seem preferable to allow the admission of children from non-resident, non-tax-paying families who are willing to pay full fees, so that this revenue can be applied against the fixed costs.

RECOMMENDATION: That when municipally-operated daycare centres are under-enroled, non-residents who are willing to pay full daycare fees be allowed to enrol children, on the condition that non-resident children would be expected to withdraw when positions are needed by city residents.

COMMUNITY SERVICES COMMITTEE

Minute #75-457 (1975)

"That the existing policy whereby applications from persons living outside the City for their children to attend the Day Care Centres be not approved remain unchanged."

The existing policy approved in 1972 (Minute #72-111) reads as follows:

"That no application from persons outside of the City of Kingston except taxpayers of the City of Kingston, for the enrolment of children in the Municipal Day Care Centre be accepted."

Meeting held June 29, 1978:

"That, if an application is received for enrolment in a municipal day care centre from a non-resident of the City of Kingston who, at the same time, is a taxpayer of the City of Kingston, and provided the applicant is willing to pay the full fees for his/her child, and provided that the space is not required by a child of a family residing in the City of Kingston, the application be approved."

Schedule "N" to Report No. 66
(Page 1)

TO: Mr. R. J. Hamilton
C. A. O.

DATE: July 9th, 1980

FROM: Mr. S. H. Routbard
Administrator

SUBJECT: JOHN HOWARD SOCIETY - FEE FOR SERVICE

A request has been received from the John Howard Society of Kingston and District, requesting a change in their annual grant to a fee for service system. At present the annual grant to the Society is $1,600.00.

On a fee for service arrangement with an agreed amount of $8,000.00 per annun, the 20% Municipal share would be the same as the present grant of $1,600.00.

This change would involve presentation of the Societies annual budget in detail, an agreement drawn up by the City, Provincial approval and accountability of each case regarding eligibility to this Department.

It also incorporates additional administrative time in auditing.

At present we are involved with thirteen separate Purchase of Service Agreements and there has been a number of requests for subsidized services rejected the past few years. I understand there are future requests forthcoming from other agencies within the next few months.

I appreciate the societies position regarding their shortfall and realize other agencies experience the same predicament.

I feel we service all eligible persons applying for assistance and the enclosed list of referral agencies are just some of the source as to where applicants come from. This does not take into account people coming in on their own, transients, clergy referrals etc,.

I therefore could not recommend a Fee for Service system at this time.

Schedule "O" to Report No. 66
(Page 1)

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: July 15th, 1980

FROM: S. H. Routbard
Administrator

SUBJECT: Car Allowances - Work Activity Project

ORIGIN: Prior to the Project being incorporated into Local 141, the travel allowance was disbursed at $15.00 per month for four staff employees. These employees were; the Director, the Bookkeeper, the Life Skills Coach and the Auto Body Instructor.

ANALYSIS: When budgeting for 1980, this structure was changed to formulate a system compensating where allowances were most required. Consequently car allowances were amended to include the Director and Bookkeeper only. It was reasoned that the Auto Body Instructor and the Life Skills Coach, who required only occasional transportation, could utilize the Project vehicle or request the Director for transportation.

EXISTING POLICY: Up until May, based on the approved budget, the Director and the Bookkeeper receive a travel allowance of $30.00 per month.

The Director uses his own car and calls upon prospective employers, suppliers, customers and public relations parties each day.

The Bookkeeper is required to use his car periodically for the purpose of City Hall liaison with this Department, Treasury Department and supplies. He is also required to do the banking for the Project as needed.

FINANCIAL: All travel allowances at the Project are subsidized 80% by the Pprovince in the same manner as the entire program.

RECOMMENDATIONS:

Subject to the Sub-Committee on Car Allowances and councils approval, I would request consideration being given for a monthly travel allowance of $80.00, effective June 1st, 1980 for the Director.

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARIO

Our Ref. No. 19-7

August 11, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: Resolution - City of Sudbury
- Closure of Unopened Road Allowances

We are forwarding herewith correspondence concerning the resolution from the City of Sudbury on the closure of unopened road allowances.

This matter has been referred to Mr. K.G. Linseman, Mr. N.C. Jackson, Mr. D. Fluhrer and Mr. G.G. Muirhead and we would recommend that Council adopt the resolution of the City of Sudbury and should so notify the Association of Municipalities of Ontario of this particular resolution.

Yours truly,

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "P" to Report No. 66
(Page 2)

LEGAL DEPARTMENT
BUREAU DU CONTENTIEUX

CITY OF SUDBURY
VILLE DE SUDBURY
ONTARIO P3E 4S5

P.O. BOX 1000 (C.P.)
STATION "A" SUCCURSALE
SUDBURY, ONTARIO
P3E 5K3
1 (705) 674-3141

JUL 2 1980

1980-06-26

VIA PUROLATOR

Association of Municipalities of Ontario,
100 University Avenue,
Suite #902,
Toronto, Ontario.
M5J 1V6

Attention: MacDonald Dunbar,
Executive Director

RE: Resolutions to be considered at 1980 A.M.O.
Conference - City of Sudbury Resolution #80-259
Closure of Unopened Road Allowances
Proposed Amendment to Section 57 of
The Surveys Act
Our file: #74-10

Dear Sir:

Please find enclosed a copy of City of Sudbury Council resolution #80-259 respecting a desired amendment to The Surveys Act as proposed by City Council for inclusion in the resolution booklet for the 1980 A.M.O. Annual Conference.

If it is impossible to include the resolution at this late date, please advise the writer at your earliest opportunity so that sufficient copies may be forwarded for the meeting of the Resolutions Committee.

Thank you for your co-operation in this matter.

Yours truly,

W. F. Dean
City Solicitor

WFD/ga
Encl.

c.c. To all Municipalities in
Ontario with a population
of between 50,000 and 100,000
people

Schedule "Q" to Report No. 66
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 11th, 1980

SUBJECT: Outlet Sewer - Lappan's Lane to Counter Street

ORIGIN: Public Works Department
(Difficulty in communicating with a Sign Company that has an encroachment that interferes with the sewer has delayed this report. It is urgent because the recommended solution involves pipe with a four week delivery. It appears that the Contractor will be at the location that it is needed in about two weeks.)

ANALYSIS: At the bend in the watercourse from Counter Street where it turns northward between KIMCO and the CN Team Track toward Lappan's Lane there has been an erosion problem. To provide protection to the new sanitary sewer it was proposed to rip-rap the side of the channel at the bend. On laying out the work an encroachment by a signboard that was intended to be an CN property was found. It will be in the road of the sewer which was designed. If the sign is not removed from City property by the time the sewer contractor reaches the vicinity of the sign the alignment of the sewer will have to be changed which means the sewer will be almost in the ditch at the corner. This will increase the potential for erosion as well as infiltration of storm water into the sewer. A positive measure to solve these problems is to pipe the ditch in the area of the bend. A favourable price has been obtained from the Contractor to install the pipe because his equipment will be there and fill will be available for cover. The pipe, 50 ft. of 54" diameter corrugated steel pipe has four weeks delivery.

From discussions with the City Solicitor the Sign Co. should have reasonable notice to move the sign. With the speed the Contractor is moving he will need a decision before the end of this week as to the route in the vicinity of the sign. It is doubtful that this amount of time is reasonable notice. It is possible that as the pavement on Counter Street is widened it may become highly desirable to pipe this watercourse where it is in Counter Street to avoid a deep ditch and make full use of the road allowance for road and boulevard.

It is proposed that the Sign Co. be requested to relocate their sign from City property or if they wish to leave it there that they enter into an encroachment agreement and pay $1,500 towards the cost of piping the watercourse at the bend at Counter Street.

FINANCIAL; The cost of 50 ft. of 54" diameter pipe is $3,500. The cost quoted by the Contractor to lay and cover it is $20/ft but if the pipe arrives after he has passed the location with the construction it would be $30/ft. We will be faced with the $30/ft price or the total cost will be $5,000.

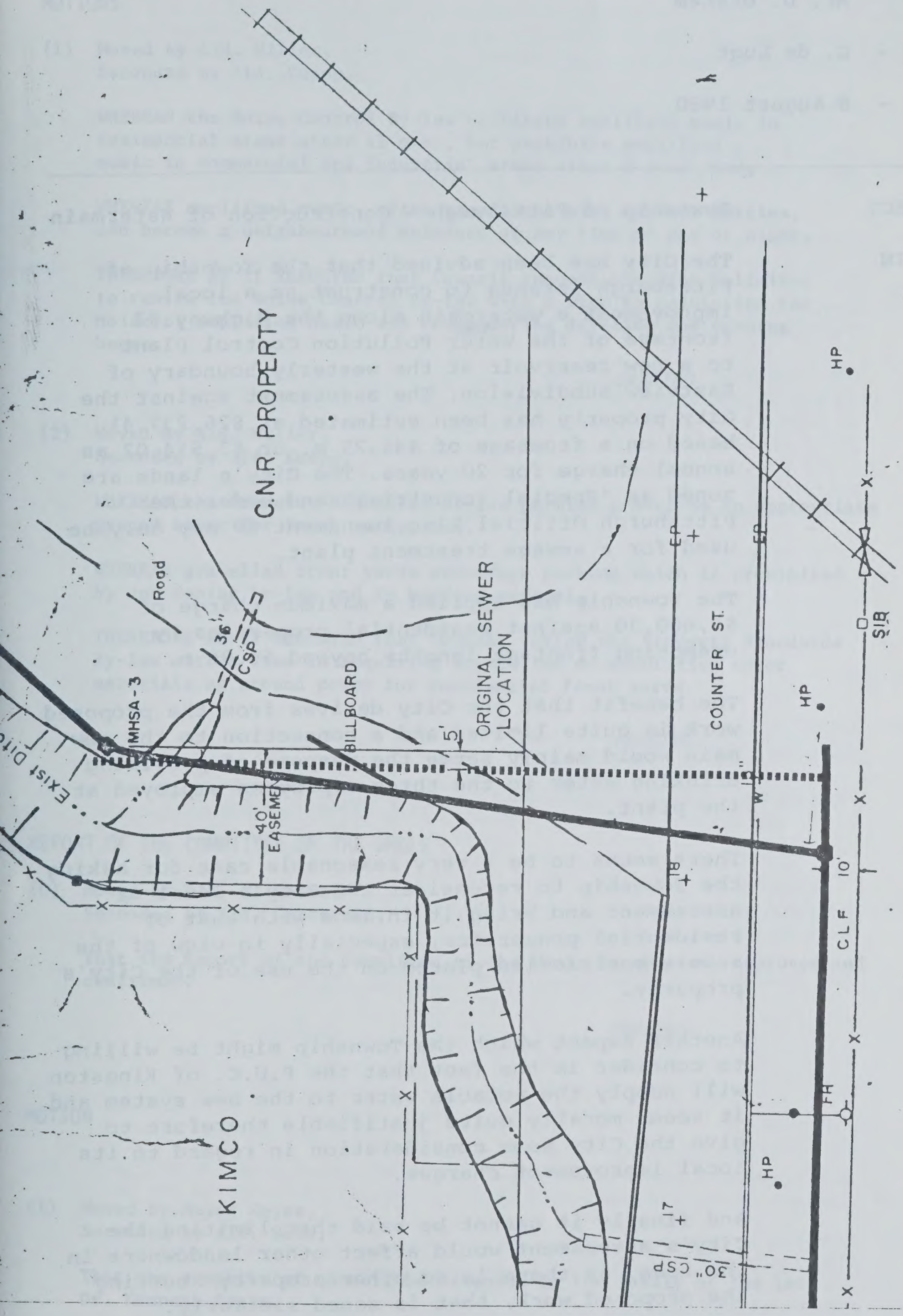
Schedule "Q" to Report No. 66
(Page 2)

RECOMMENDATION: That, since the piping of the watercourse at Counter Street between Kimco and the CN Team Track provides a positive solution to the erosion problem and provides for future improvements in Counter Street authorization be given to purchase 50 ft. of 54" diameter corrugated steel pipe at a cost of $3,500 and that since $3,500 of the $5,000 total cost was included in the by-law, the additional $1,500 be recovered from the Sign Co., it being understood that any funds not obtained from the Sign Co. will be recovered from the current budget, Maintenance of Storm Sewers.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "Q" to Report No. 66
(Page 3)


CNR PROPERTY
Road
36" CSP
MHSA-3
EXIST DITCH
BILLBOARD
40' EASEMENT
5'
ORIGINAL SEWER LOCATION
COUNTER ST.
EP
EP
W
18
HP
HP
HP
SIB
10'
CLF
FH
KIMCO
17
30" CSP

Schedule "R" to Report No. 66
(Page 1)

MEMORANDUM

TO - Mr. D. Graham

FROM - G. de Lugt

DATE - 8 August 1980

SUBJECT Township of Pittsburgh - Construction of Watermain

ORIGIN The City has been advised that the Township of Pittsburgh intends to construct as a local improvement a watermain along the Highway #2 frontage of the Water Pollution Control Plant to a new reservoir at the westerly boundary of Eastview Subdivision. The assessment against the City property has been estimated at $26,237.41 based on a frontage of 444.25 m. or $3,514.02 as annual charge for 20 years. The City's lands are zoned as "Special Industrial" and under the Pittsburgh Official Plan Amendment #9, may only be used for a sewage treatment plant.

The Township has applied a maximum charge of $3,600.30 against residential properties by exempting frontage lengths beyond 60.96 m.

The benefit that the City derives from the proposed work is quite limited and a connection to the new main would mainly serve the purpose of providing drinking water to the three employees employed at the plant.

There seems to be a very reasonable case for asking the Township to reconsider the City's level of assessment and bring it in line with that of residential properties, expecially in view of the severe restriction placed on the use of the City's property.

Another aspect which the Township might be willing to consider is the fact that the P.U.C. of Kingston will supply the potable water to the new system and it seems morally quite justifiable therefore to give the City some consideration in regard to its local improvement charges.

And finally it cannot be said that limiting the City's assessment would affect other landowners in the area, as there is no other property abutting the proposed work, that is zoned similarly.

RECOMMENDATION That the City not object to the proposed works, but request the Township in the light of the foregoing reasons to grant the City's property the same excemption that it has granted to residential properties.

G. de Lugt, P. Eng.
Deputy City Engineer

COMMITTEE OF THE WHOLE (Cont'd)

MOTIONS

(1) Moved by Ald. Miller,
Seconded by Ald. Knapp,

WHEREAS the Noise Control By-law prohibits amplified music in residential areas after 11 p.m., but prohibits amplified music in commercial and industrial areas after 5 p.m., and,

WHEREAS amplified music, often associated with outdoor parties, can become a neighbourhood nuisance at any time of day or night,

THEREFORE BE IT RESOLVED that Council request the City Solicitor to review the Noise Control By-law with a view to regulating the noise of amplified music and sound during day-time and evening hours.

CARRIED

(2) Moved by Ald. Miller,
Seconded by Ald. Knapp,

WHEREAS the Property Standards By-law permits gravel as an appropriate ground cover for front yards, and,

WHEREAS gravelled front yards encourage parking which is prohibited by our zoning by-law and is hard to control,

THEREFORE BE IT RESOLVED that Council review the Property Standards By-law with a view to requiring vegetation or decorative cover materials as ground cover for residential front yards.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

(1) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of council be extended to the family of the late Dr. Kenneth Regan.

CARRIED

NOTICE OF MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That, as the Cataraqui, Frontenac and St. Lawrence Ratepayer's Association, when given permission to use Memorial Hall for a public meeting on May 30, 1980, were not informed that security charges at $6.00 per hour would be charged, such charges be waived for this occasion.

REFERRED TO THE COMMITTEE OF THE WHOLE - AUGUST 25, 1980

(2) Moved by Ald. Clements,
Seconded by Ald. Bishop,

That the Mayor be instructed to set up a committee to examine the financial benefits and disadvantages of annexation of the Township of Kingston or parts thereof, and the Township of Pittsburgh or parts thereof; this committee to be composed of two aldermen, the Chief Administrative Officer, the Director of Planning and two members of the Kingston community, and that this committee report back to council by November 30, 1980.

REFERRED TO THE COMMITTEE OF THE WHOLE - AUGUST 25, 1980

BYLAWS

(A) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That By-Laws 1 to 4 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That By-Laws 4 to 15 be given their Third Reading.

CARRIED

(1) A By-Law to Temporarily Close Certain Streets on Sunday, September 14, 1980 from 10:00 a.m. to 12:00 noon for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-176
Clause 26, Report No. 64, 1980

BYLAWS (Cont'd)

(2) A By-Law to Authorize the Construction of a Concrete Sidewalk, 1.5 m wide, including road shoulder widening, on the south side of Thomas Street, from Cowdy Street easterly 82.43 m under the Provisions of Section 7 of The Local Improvement Act. (Petition)

FIRST & SECOND READINGS PROPOSED NO. 80-177
Clause 12, Report No. 66, 1980

(3) A By-Law to Close Patrick Street from Balaclava Street to Quebec Street on Monday, September 1, 1980, from 6:00 a.m. to 3:00 p.m. for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-178
Clause 15, Report No. 66, 1980

(4) A By-Law to Confirm the Proceedings of Council at its Meeting Held on August 11, 1980.

THREE READINGS PROPOSED NO. 80-179
City Council Meeting No. 40, 1980

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Amend Section 126 - delete 45.7 m and substitute 15.24 m).

THIRD READING PROPOSED NO. 80-156A
(Note: This amending By-Law is necessary to correct a typographical error)

City Council Meeting 38, 1980

(6) A By-Law to Amend By-Law No. 8438, "A By-Law to Adopt a Redevelopment Plan for the City of Kingston - N.I.P. Redevelopment Area". (Amend Redevelopment Plan).

THIRD READING PROPOSED NO. 80-157A
Clause 1, Report No. 56, 1980

BYLAWS (Cont'd)

(7) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation Use of Parks and Recreational Facilities of the Corporation". (Waive Fees Kingston Women's Arts Festival).

THIRD READING PROPOSED NO. 80-165
Clause 18, Report No. 64, 1980

(8) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-167
Clause 27, Report No. 64, 1980

(9) A By-Law to Amend By-Law No. 4489, "A By-Law to Regulate, Supervise and Govern the Parking of Vehicles on Parking Lots and to Fix the Rates and Charges for Parking on Such Parking Lots". (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-168
Clause 27, Report No. 64, 1980

(10) A By-Law to Amend By-Law No. 495, "A By-Law to Provide for a Parking Meter Zone in Certain Streets or Portions Thereof, and to Provide for the Installation, Regulations, Supervision and Control of Such Parking Meters." (Clause 27, Report No. 64).

THIRD READING PROPOSED NO. 80-169
Clause 27, Report No. 64, 1980

(11) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets". (Banner - Women's Art Festival Committee). (Clause 29, Report No. 64, 1980)

THIRD READING PROPOSED NO. 80-170
Clause 29, Report No. 64, 1980

(12) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets", (Section 27(a)). (Clause 31, Report No. 64, 1980)

THIRD READING PROPOSED NO. 80-171
Clause 31, Report No. 64, 1980

BYLAWS (Cont'd)

(13) A By-Law to Temporarily Close Ontario Street between Market Street and Brock Street on Wednesday, August 20, 1980, from 9:00 a.m. to 10:15 a.m. for Community Purposes.

THIRD READING PROPOSED NO. 80-172
Clause 32, Report No. 64, 1980
and Clause 18, Report No. 66, 1980

(14) A By-Law to Amend By-Law No. 79-159, "A By-Law to Designate the City of Kingston as a Site Plan Control Area, Pursuant to Section 35(a) of The Planning Act, R.S.O. 1970, Chapter 349, As Amended". (Delete 3(b)(ii) and Replace with a New 3(b)(ii) and Add New Sections 6 and 7).

THIRD READING PROPOSED NO. 80-117
Clause 5, Report No. 45, 1980

(15) A By-Law to Amend By-Law No. 79-265, "A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee" (Add New Section 4(h)).

THIRD READING PROPOSED NO. 80-118
Clause 5, Report No. 45, 1980

UNFINISHED BUSINESS

Mayor Keyes said he wished to draw the attention of Council to a press release he had distributed, concerning the new Committee on Honorariums of Elected Officials. This Committee was now meeting, and hoped to hold a public meeting on August 28th. Mrs. Judith Mackenzie, former Alderman, was the Chairman.

Mayor Keyes said that Tuesday August 12th was the final Pops Concert, to which all Aldermen were invited. Free tickets for this purpose were available from his office.

Mayor Keyes drew the attention of Council members to a Notice which had been distributed concerning a Caucus meeting between Council members and Mr. Hamilton, to be held on August 14th, 1980.

Mayor Keyes noted that Saturday, September 13th, 1980, would be declared "Kingston Day" at Queen's University by the University.

Mayor Keyes said that Ald. Webb had asked him to request that the Committee on Honourable Achievement meet before August 31, 1980 to discuss recommendations.

Ald. McArthur said he had been contacted by several restaurant owners who were concerned about the matter of leases granted by the City to various restaurants, such as the Firehall, the Vaults, Howard Johnson's restaurant. Several people felt that leases of this nature put other business people at a disadvantage. He asked that information be provided on whether these leases were paid up to date and if not, the reasons for this.

UNFINISHED BUSINESS (Cont'd)

Ald. McArthur said that he was concerned about the matter of laneways, particularly in the Thomas and Stephen Street area, where it appeared that the laneways were being used as dumps. This was very unsightly, and he hoped something could be done about this.

Ald. Webb said he was concerned to see that in the Minutes of the Meeting between Council, Township and Conservation Authority, he had not been noted as being present, although he was in attendance, while others who were not present were listed three times.

Ald. Webb said that he had almost given up on the matter of the ship, the "Cape Transport", which was still moored in the City, even though it had been chased out of several other municipalities on both sides of the border. He felt this should be the Mayor's responsibility and he hoped something could be done.

Ald. Webb said he was gratified to note that it appeared the battle with Dutch Elm disease was being won. He lived close to Churchill Park and it was good to see a fine group of elm trees there. Obviously, the inocculation program of the Parks Department was succeeeding, and he felt they should be commended for doing a terrific job.

Ald. Timmins requested that the Chief Administrative Officer send copies of the Traffic Administrator's report to all those people who had requested a stop sign at McMahon and Avenue Road.

Ald. Miller said she was concerned to hear a rumour that the Federal government was to demolish the large stone house across from the Kingston Penitentiary. She realised that the Federal government was not bound by the historic preservation legislation of the Province, but she hoped that something could be done to prevent demolition, if this was in fact the case, since this was a lovely old building. She asked that this matter be discussed by the L.A.C.A.C. Committee.

Mayor Keyes said that only the Coach House and garage were to be demolished to make room for an enlarged yard area for the Women's Penitentiary.

Ald. Hawkins said that Churchill Park was used quite frequently for wedding parties, and it appeared they were being harrassed by cyclists. There was also a problem with dogs defecating in this park, and he hoped some action could be taken in this regard.

Ald. Hawkins asked if the Mayor could provide up to date information on the Campeau proposal, and when it was intended to commence construction.

Mayor Keyes said that a date of Spring 1981 had been indicated to him.

Ald. Gerretsen said that he wondered if, as a result of the announcement made by Chartwood Developments at last week's meeting, the Mayor was now prepared to call a meeting of all the parties concerned to discuss the next action. From the Downtown Core Committee Minutes, it appeared people were confused about what now was going to happen.

Mayor Keyes said he had recommended to the Downtown Core Committee that they hold a regular meeting in September, under the Chairmanship of the Vice-Chairman. He felt that perhaps a meeting of all parties concerned could be combined with the L.A.C.A.C. report meeting which Council had agreed to hold before October. He hoped a recommendation would be forthcoming from such a meeting.

Ald. Gerretsen asked whether any written confirmation had been received from the T. Eaton Company as to whether or not their position was as stated by Mr. Magwood at last week's meeting.

Mayor Keyes said such written confirmation had not been received, and he had indicated that he would like to see this, as well as something in writing to confirm Chartwood's position at this point.

Ald. Clements said that the Planning Board would be holding a special meeting on August 13th, to continue discussion of the Official Plan. He invited all members of Council to attend this meeting.

ADJOURNMENT

Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That council do now adjourn.

CARRIED

Council adjourned at 10:59 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

CITY COUNCIL MEETING NO. 41

The Regular Meeting of City Council will be held on Monday, August 25, 1980 commencing with an OPEN session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
SEP 17 1980

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to consider the following item which was formerly Clause 1 of Report No. 64:

> That the matter of the City's contribution to the Lemoine Point Conservation Area Project be considered.

(Note (A): A report of the City's contribution for the years 1976-1980 is attached hereto as Page 1 of Schedule "A";

(B): See Report of the Chief Administrative Officer and the Commissioner of Parks and Recreation attached hereto as Pages 2 to 10 of Schedule "A".

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Schedule "A"
(Page 1)

BREAKDOWN OF CONTRIBUTIONS TO LEMOINE POINT CONSERVATION AREA PROJECT - 1976-1980

Total Acquisition Costs	$1,010,000.
Province of Ontario	656,500.
Township of Kingston	252,505.
City of Kingston	100,995.
Total Development Costs	280,237.
City of Kingston's Share	31,490
Total Maintenance Costs	56,712.
City of Kingston's Share	14,178.
Total City Share for Development and Maintenance	45,668.

Schedule "A"
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-2.1

August 21, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: LEMOINES POINT

We are forwarding a report from Mr. D. Fluhrer dealing with this matter for attention of City Council.

The requested funding for Lemoine's Point is set out below.

Year	Amount
1980 - approved by Council.	$13,750.
1981 - suggested	23,420.
1982 - suggested	27,620.

We would suggest that City Council accept the report of Mr. Fluhrer setting out his four recommendations.

The level of maintenance costs for 1980, contributed by the City of Kingston, was set at $13,750.00.

We should continue to support this project at a level of $13,750. for each of the next two years (1981 and 1982).

Development funding for other city parks will be the subject of discussion when our 1981 Capital and Current Budgets are considered by City Council.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "A"
(Page 3)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: August 21, 1980

SUBJECT: LEMOINES POINT

ANALYSIS: As requested by Council, I submit the following report, giving my feelings regarding the City's financial support for development of Lemoine's Point.

(i) The Townships, Municipality of Kingston, and the Province, acted wisely in acquiring this land when it was for sale, thus keeping it for public purposes and ensuring access to and along this great water's edge by the public.

(ii) At the present time I question the need for further development, and also suggest that the present master plan, presented in 1978, might be reviewed - (see attached conceptual plans).

(iii) The City has need for development funds to improve facilities for the public's use at Belles Island and Lake Ontario Park. Belles Island is, without any doubt, a beautiful, heavily treed island with tremendous potential for public enjoyment, but it must be serviced before its potential can begin to be realized - i.e. some form of sewage control for toilets, washrooms, change rooms, etc., electric, service roads, and public parking areas, and most important, the development of safe and desirable swimming facilities. While the Island should retain most of its present natural state, the services mentioned must be developed if our public is going to get the full benefit of its potential. Also, the ever-increasing density in the north-east side of Kingston demands we begin this work now.

RECOMMENDATIONS: 1. The City should continue to pay its share of maintenance costs for Lemoines Point.

.../2

Schedule "A"
(Page 4)

RECOMMENDATIONS:
(continued)

2. Development funding should be directed within the City, to develop parks already acquired, needed, but requiring improvement (i.e. Belles Island and Lake Ontario Park).

3. Consideration could be given to suggesting that Lemoines Point might better be under the jurisdiction of The St. Lawrence Parks System, as it is in their geographical region and conceivably fits their mandate, more so than that of the Conservation Authority.

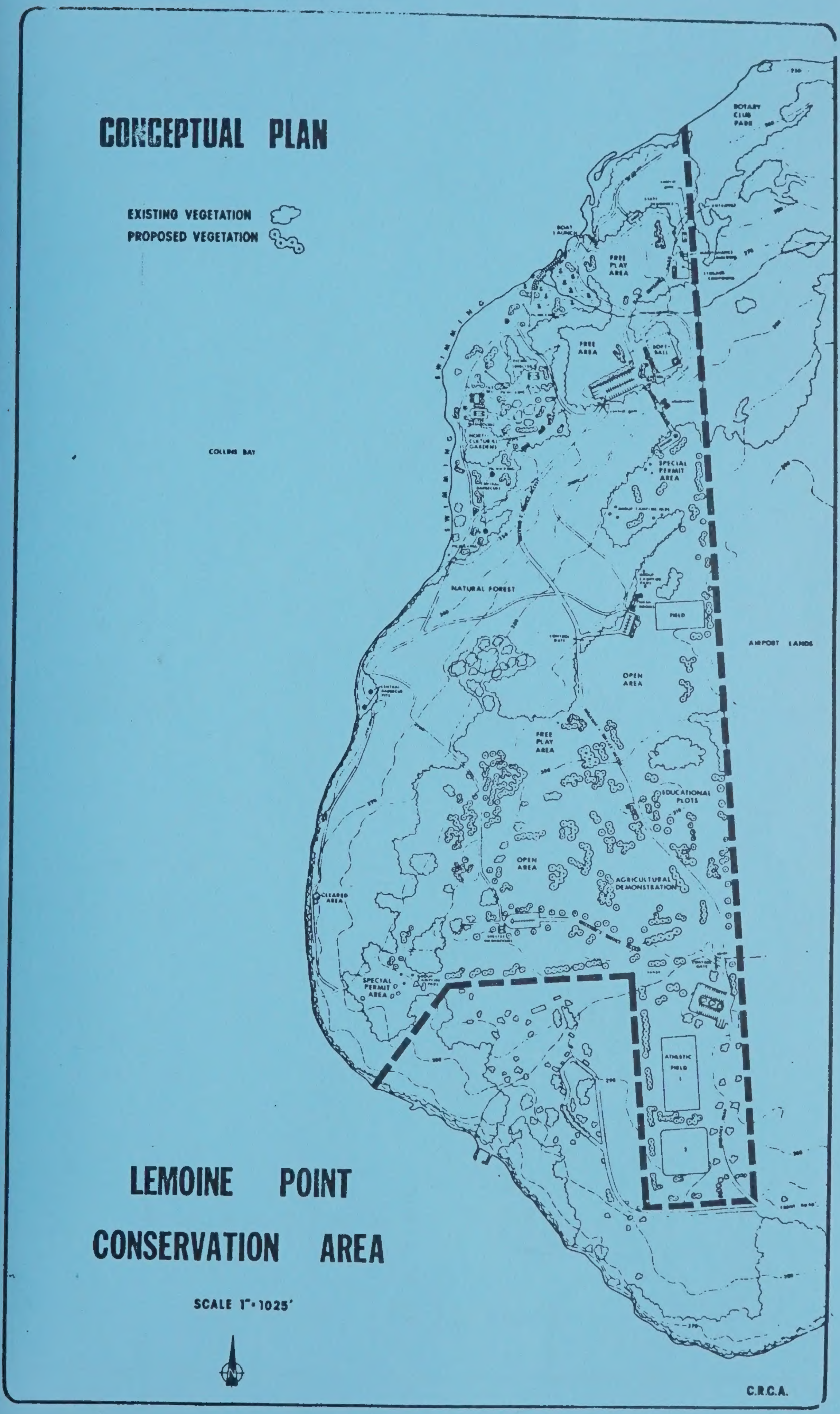
4. The present conceptual plan for development does not allow for vehicles to travel along the vast water's edge and, in fact, attempts to keep cars well back. Consideration of a connecting shore road from the present Front Road to Bath Road, would provide a beautiful drive, and with proper design, would not detract from the park theme intent, but rather enhance it as the public would have better and easier access. (Example - the drive along Bath Road from Collins Bay to Picton, and all the parks, beaches, etc. along the way).

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

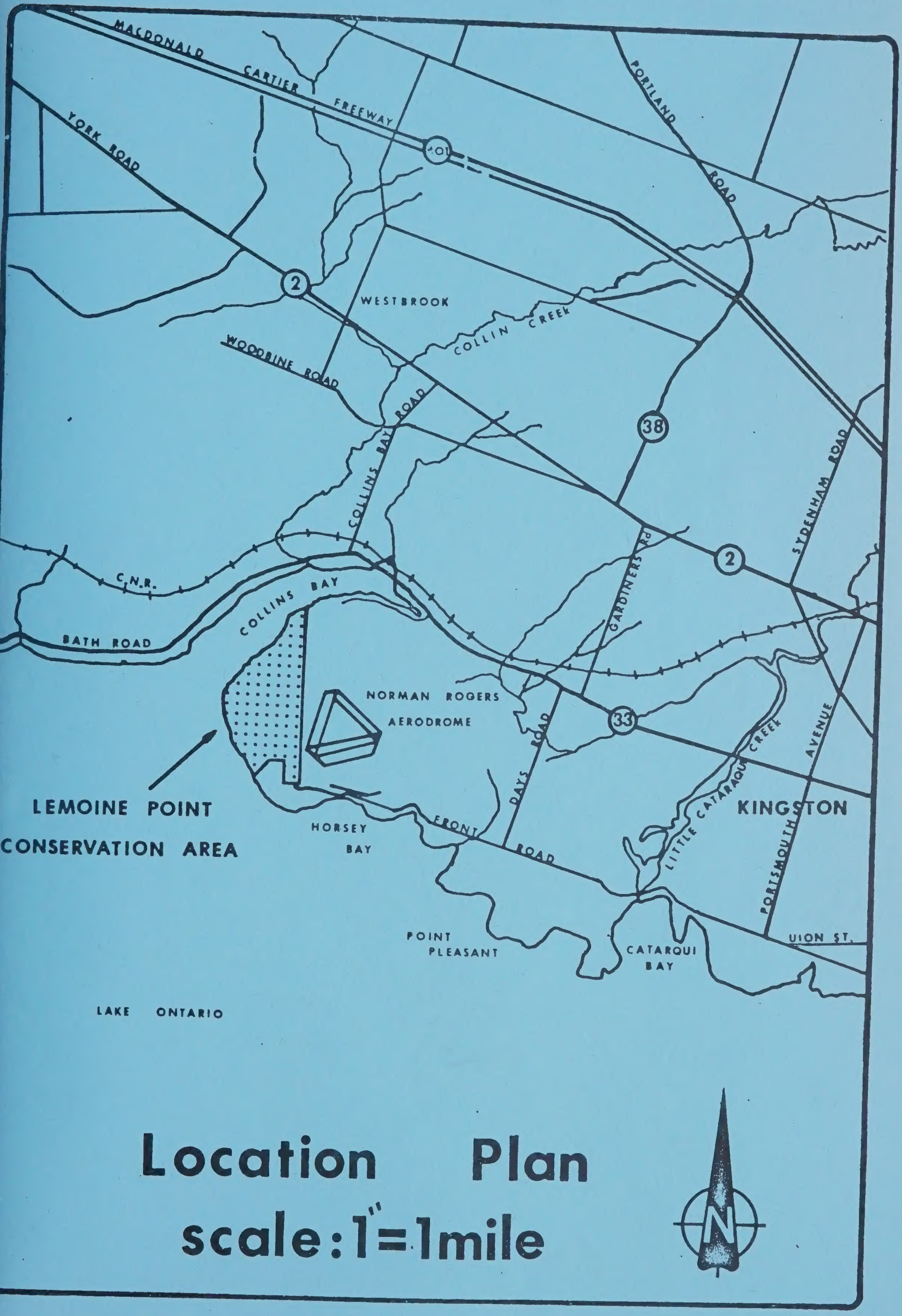
DRF/dg
attachment.

Schedule "A"
(Page 5)

map 6


CONCEPTUAL PLAN
EXISTING VEGETATION
PROPOSED VEGETATION
ROTARY CLUB PARK
BOAT LAUNCH
FREE PLAY AREA
FREE AREA
SOFT-BALL
SWIMMING
HORTICULTURAL GARDENS
COLLINS BAY
SPECIAL PERMIT AREA
NATURAL FOREST
FIELD
CONTROL GATE
AIRPORT LANDS
OPEN AREA
FREE PLAY AREA
EDUCATIONAL PLOTS
OPEN AREA
AGRICULTURAL DEMONSTRATION
CLEARED AREA
SPECIAL PERMIT AREA
ATHLETIC FIELD 1
2
LEMOINE POINT CONSERVATION AREA
SCALE 1"=1025'
N
C.R.C.A.

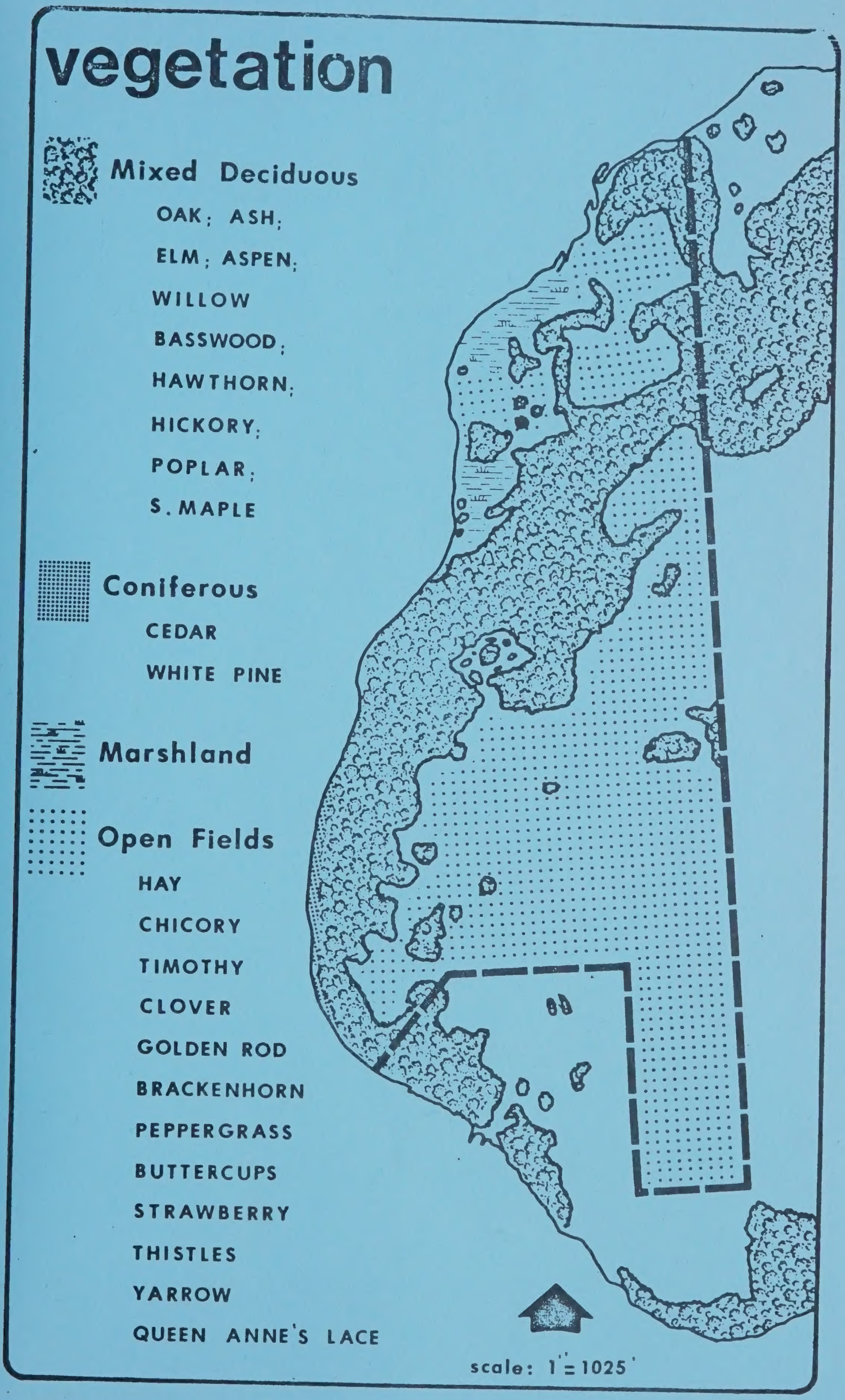
Schedule "A"
(Page 6)


MACDONALD CARTIER FREEWAY
401
YORK ROAD
PORTLAND ROAD
2
WESTBROOK
COLLIN CREEK
WOODBINE ROAD
COLLINS BAY ROAD
38
SYDENHAM ROAD
GARDINERS Rd
2
C.N.R.
COLLINS BAY
BATH ROAD
NORMAN ROGERS
AERODROME
33
DAYS ROAD
LITTLE CATARAQUI CREEK
PORTSMOUTH AVENUE
KINGSTON
LEMOINE POINT
CONSERVATION AREA
HORSEY BAY
FRONT ROAD
POINT PLEASANT
CATARQUI BAY
UION ST.
LAKE ONTARIO
N

Location Plan

scale: 1" = 1 mile

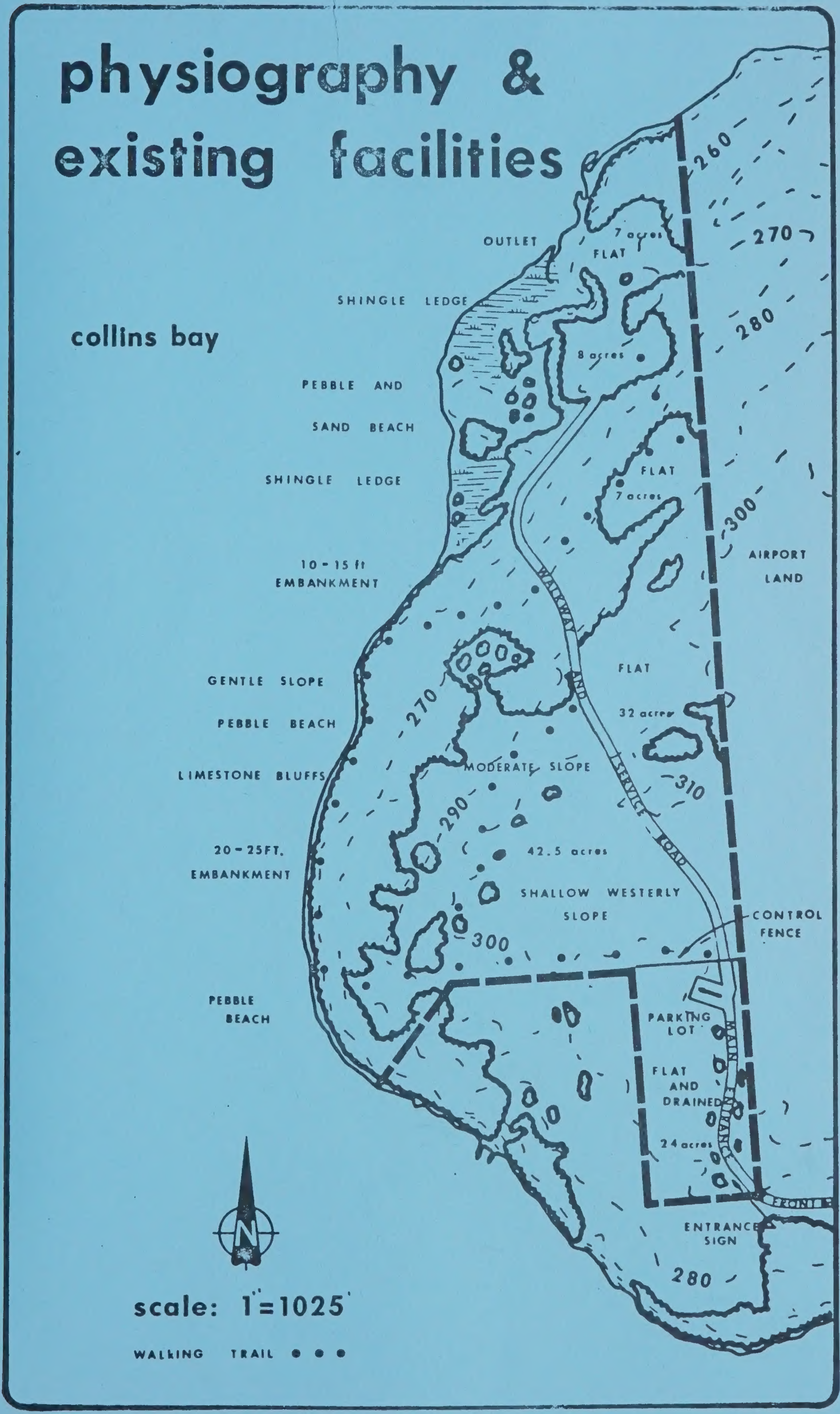
Schedule "A"
(Page 7)


vegetation
Mixed Deciduous
OAK; ASH;
ELM; ASPEN;
WILLOW
BASSWOOD;
HAWTHORN;
HICKORY;
POPLAR;
S. MAPLE
Coniferous
CEDAR
WHITE PINE
Marshland
Open Fields
HAY
CHICORY
TIMOTHY
CLOVER
GOLDEN ROD
BRACKENHORN
PEPPERGRASS
BUTTERCUPS
STRAWBERRY
THISTLES
YARROW
QUEEN ANNE'S LACE
scale: 1" = 1025'

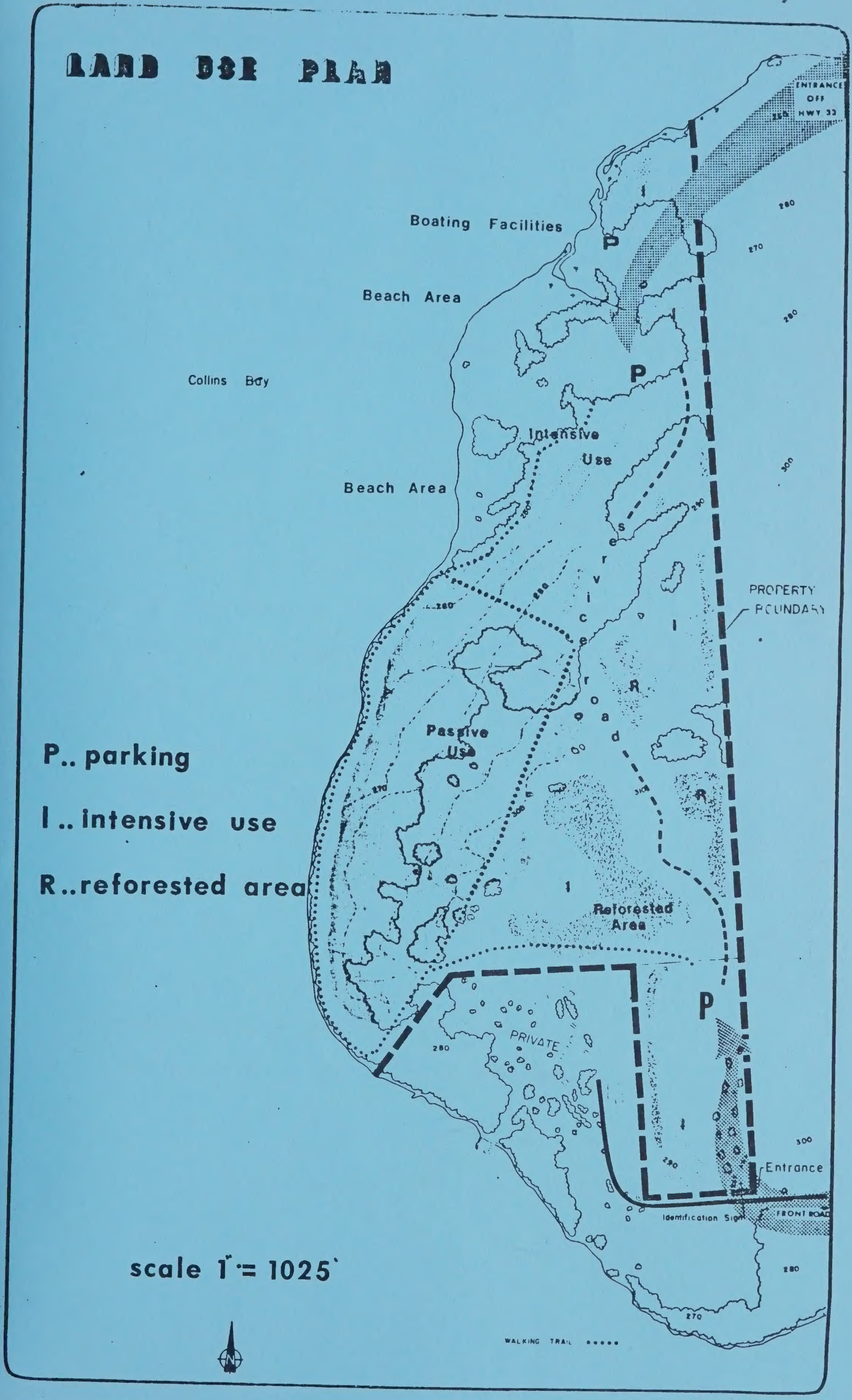
map

Schedule "A"
(Page 8)

map 3


physiography &
existing facilities
collins bay
OUTLET
7 acres
FLAT
SHINGLE LEDGE
8 acres
PEBBLE AND
SAND BEACH
SHINGLE LEDGE
FLAT
7 acres
10 - 15 ft
EMBANKMENT
WALKWAY
AIRPORT
LAND
GENTLE SLOPE
PEBBLE BEACH
LIMESTONE BLUFFS
FLAT
32 acres
MODERATE SLOPE
AND
SERVICE ROAD
20 - 25FT.
EMBANKMENT
42.5 acres
SHALLOW WESTERLY
SLOPE
CONTROL
FENCE
PEBBLE
BEACH
PARKING
LOT
MAIN ENTRANCE
FLAT
AND
DRAINED
24 acres
FRONT
ENTRANCE
SIGN
260
270
280
290
300
310
270
290
300
280
N
scale: 1"=1025'
WALKING TRAIL ● ● ●

Schedule "A"
(Page 9)


LAND USE PLAN
ENTRANCE OFF HWY 33
Boating Facilities
Beach Area
Collins Bay
Intensive Use
Beach Area
service road
P
P
P
I
I
I
R
R
PROPERTY BOUNDARY
Passive Use
P.. parking
I.. intensive use
R..reforested area
Reforested Area
PRIVATE
Entrance
Identification Sign
FRONT ROAD
280
270
280
300
290
280
280
270
300
310
300
290
300
280
270
scale 1" = 1025'
WALKING TRAIL •••••
N

map 5

Schedule "A"
(Page 10)

LEMOINE POINT CONSERVATION AREA

MASTER PLAN (Cont'd)

With the information acquired, attempts can be made to estimate the probable usage of the facilities although it must be borne in mind that these figures indicate usage under optimum conditions.

13. COST ESTIMATES

Cost estimates for the development of the Lemoine Point Conservation Area have been prepared for all elements of the design as shown on the Conceptual Plan. These estimates, which are shown in Table 2, are based on 1978 construction costs for similar park and landscape developments. No attempt has been made at predicting future cost fluctuations.

With these provisos, it has been estimated that the total expenditure for administering the Plan will be:

Phase I (1978-1982)	$ 461,500
Phase II (1983-1987)	$ 354,000
Total	$ 815,500

At the present level of supplementary grant, the Authority will receive 54.5% or $444,447 while the Authority's share of the development costs will amount to $371.053.

.../42

COMMITTEE OF THE WHOLE (Cont'd)

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole and the Chairman report.

- or alternatively -

That Council rise from the Committee of the Whole without reporting.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 40 held on August 11, 1980 be confirmed.

PETITIONS

TABLING OF DOCUMENTS

(1) From the Ministry of the Solicitor General forwarding a copy of the "Fire Marshalls Quarterly News".

(2) From Ontario Hydro forwarding their document entitled "Environmental Assessment Summary for Eastern Ontario Plan Stage Environmental Assessment" which deals with Ontario Hydro's proposed program for improving the bulk power transmission system in eastern Ontario.

COMMUNICATIONS

Which has been Referred to the Director of Planning & Urban Renewal and to the Housing Information Officer

(549) From the office of the Clerk of the Legislative Assembly advising the City of Kingston that the Standing Committee on Administration of Justice will meet to review the operation of the Ontario Housing Corporation and local housing authorities, commencing on Tuesday, September 2, 1980.

Comments on the subject matter of review should be directed to Mr. A. Smirle Forsyth, Clerk of the Committee, Room 1502, Whitney Block, Queen's Park, Toronto.

File No. 8-3.9

To be Filed

(550) Statement of Revenue and Expenditures for the month of June 1980 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1980 Budget Estimates	1980 to date	Month of June 1980	1979 to date
Operating Deficit:	$882,585.	$469,793.	$96,027.	$392,625.
Debentures:	27,545.	13,773.	2,295.	13,823.
Total Deficits:	$910,130.	$483,566.	$98,322.	$406,448.

File No. 17-11.2

To be Referred to the Planning Board

(551) From the Ministry of Housing forwarding five copies of the Assisted Housing Survey for the City of Kingston, as requested by the City of Kingston in January 1980, analyzing the need for senior citizen and family housing based on the Local Housing Authority waiting list. The report identifies no need for senior citizen units and thirteen to seventeen family units to August 1981.

The Ministry advises that council should now pass a resolution adopting these targets as a supplement to the city's Municipal Housing Statement and that the resolution be forwarded to:

The Corporate Secretary
Ministry of Housing
101 Bloor Street West, 14th Floor
Toronto, Ontario, M5S 1P8

In addition, the Ministry states that these targets should provide a basis for completion of the city's Annual Housing Review.

File No. 8-3.9

COMMUNICATIONS (Cont'd)

Which has been Referred to the Chief of Police

(552) Information regarding a conference organized by a Steering Committee of representatives of provincial and municipal governments with the assistance of the Group Planners and sponsored by the Government of Ontario and Association of Municipalities of Ontario.

The theme of the Conference is "Emergency Preparedness for the Eighties". Sessions will deal with practical issues facing those involved in emergency planning in government and industry.

The conference will be held at the Harbour Castle Hilton in downtown Toronto from Sunday, November 16th to Wednesday November 19th, 1980.

Further inquiries are to be made to:

Pam Graham
The Group Planners
112 St. Clair Avenue West
Suite 303
Toronto, Ontario M4V 2Y3

File No. 5-4

To be Filed

(553) From the Ministry of Housing advising that Amendment No. 31 to the Official Plan for the Township of Kingston Planning Area (south side of Bath Road, west of Frontenac Secondary School) has been approved.

File No. 16-1.2-1

(554) From the Ontario Association of Children's Aid Societies advising that the Association has appointed Dr. P.W. Rogers, 376 Albert Street, Kingston, to the Review Committee.

The Association also advises that of August 1, 1980 their new address is 2323 Yonge Street, Suite 505, Toronto, Ontario.

File No. 3-4

(555) From Public Works Canada inviting offers for the purchase of Building No. 44, Single Wood Frame Garage, approximately 21.46 m^2 (231 sq. ft.), located at McNaughton Barracks, Canadian Forces Base Kingston (for removal and restoration of site).

Offers must be received by Public Works Canada, 4900 Yonge Street, Willowdale, Ontario, not later than:

15:00 hours on August 28, 1980

For appointment to inspect the building, the following person may be contacted:

Property Records Manager
Engineer's Office, Building No. H-36
Canadian Forces Base Kingston

File No. 17-12.1

COMMUNICATIONS (Cont'd)

To be Filed

(556) From the Ministry of Revenue on the matter of payment of municipal and school taxes by senior citizens.

A program of tax grants for senior citizens came into effect July 1, 1980 which provides new grants to Ontario residents aged 65 or older.

The Property Tax Grant of up to $500 per household is based on property tax or rent. Old Age Security (OAS) recipients will receive their Property Tax Grant application forms by the end of August 1980. Also, a $50 Sales Tax Grant will be mailed automatically to OAS recipients at the end of September 1980.

The Ministry has forwarded pamphlets which provide an overview of the program. A more detailed booklet and a poster will be sent to the City as soon as they are available.

File No. 21-3.2-2

(557) From the Hon. Keith Norton thanking the City of Kingston for a copy of a letter to the Town of Durham concerning the resolution on Majority of Elected Representatives - Town of Durham Ontario Police Commission, which the City of Kingston endorsed (Clause 3, Report No. 64, 1980).

File No. 19-7

(558) From the Ministry of Treasury and Economics forwarding a copy of the first quarter update on the performance of the 1980 Ontario Budget. It provides a revised outlook for the remainder of the fiscal year, along with a comparison of the first three months' performance for this fiscal year with the same period in 1979-80.

File No. 17-9

To be Referred to the Ontario Municipal Board after September 2, 1980

(559) Letter of objection from Kingston Plate & Window Glass to proposed By-law No. 80-164, "A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (2.0 m wide) in Princess Street, North Side from Victoria Street Easterly 57.60 m, Under the Provisions of Section 8 of The Local Improvement Act.

File No. 16-2

COMMUNICATIONS (Cont'd)

To be Filed

(560) From the Liquor Licence Board of Ontario advising that application has been made to the Board by Garieri Enterprises Inc. Ontario Inc. for the issue of a liquor licence (dining lounge) at the Noodles Restaurant, 427-429 Princess Street, Kingston.

When the application has been scheduled for a public hearing, council will be provided with a copy of the Board's letter to the applicant setting out the date, time and place of the hearing.

File No. 12-6

(561) From Mr. J.E. Taylor, Clerk-Administrator, Court House, Kingston, advising that the County of Frontenac, together with the City of Kingston, have appointed Mrs. Lin Good, 212 Fairway Hill Crescent, Kingston, to be a member of the proposed Review Committee, re, 1980 estimate of expenditure of the Children's Aid Society of the City of Kingston and County of Frontenac.

File No. 3-4

(562) From Mr. B.G. Cousens, City Treasurer, advising that there will be a general meeting with representatives of the Ontario Municipal Employees Retirement Board on Thursday, September 18, 1980 commencing at 2:00 p.m. in Memorial Hall.

The purpose of this general meeting is to provide the member and employer representatives with an opportunity to meet the members of the Board and to discuss with them, the staff and advisers, any aspect of OMERS that is of interest.

It is suggested that the City of Kingston send five representatives and each of the local boards participating with the City send two representatives to the meeting. It is also suggested that each union local, employee association or group of non-union employees send two representatives.

File No. 17-3.2

(563 From Miss Flora MacDonald, M.P. commenting on the City of Kingston's resolution concerning the income tax provision that allows for a tax deduction, by the developer, when a building is demolished (Clause 2, Report No. 49, 1980).

It is Miss MacDonald's feeling that this particular provision is far too general if it actually encourages developers to demolish old buildings, regardless of their historic and cultural value. She has put forward a proposal to the Hon. Allan MacEachen, Finance Minister, that the tax deduction only apply to buildings that are not considered of historic value, and she has also suggested that the Departments of Finance and Revenue Canada work very closely with local heritage associations for the purposes of administering such a proposal.

As soon as Miss MacDonald is in receipt of Mr. MacEachen's comments she will inform the City.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

To be Referred to the Planning Board

(564) From Fraser & Beatty, Solicitors for Dominion Stores Limited (who operate two supermarkets in the City of Kingston, one at 33 Barrack Street and one at 445 Princess Street) objecting, on behalf of their client, to Application No. 1979-Z-195 Ivanhoe Incorporated, Application for Rezoning Property on the North Side of Concession Street West of Macdonnell Street.

Fraser & Beatty request that the City of Kingston refuse to approve the proposed zoning amendment for the following reasons:

(1) The City and the Ontario Municipal Board have just recently approved an application by Campeau Corporation for a centre at Division Street and Weller Avenue which will include a food store facility.

(2) The City is also, at present, pursuing a downtown revitalization project.

(3) Both of Dominion's existing stores are within close proximity to the proposed downtown re-development area.

(4) If the Ivanhoe Incorporated application is approved, even without the approval of the downtown re-development, the viability of Dominion Stores existing operations, especially the Princess Street operation, will be seriously affected.

Fraser & Beatty require that notice of any meetings of the City with respect to this application be sent to them and that they be given an opportunity to make presentation to any such meetings regarding their client's concerns and objections.

File No. 25-2.4-25

To be Filed

(565) From Ms Lynn Haver, Secretary-Treasurer, C.U.P.E. Local 141, registering a very strong protest at the failure of the City of Kingston to fulfil its contractual obligations with regard to the grievance procedure and the terms of the Collective Agreement.

The Grievance Committee was recently expanded to try and solve the problem of the non-attendance of aldermen at the grievance committee meetings. Several times in the past, meetings have had to be abandoned and rescheduled because aldermen failed to appear and there was no quorum. Such was the case again on August 21st, when there was not a sufficient quorum for a meeting of the Committee.

Local 141 wishes to point out that such disregard for the provisions of a collective agreement places a most unfair and unwarranted burden on employees who have waited many weeks, and in some cases months, for their grievances to be heard.

(Note: Copy of letter has been distributed to all members of Council)

File No. 5-3.6

COMMUNICATIONS (Cont'd)

To be Referred to the Chief Administrative Officer

(566) From Helen Wooldridge, Managing Editor, Merritt Publishing Company Ltd., further to her delegation before council on August 11, 1980, submitting revised Proposal to council for help and support to publish the book, "Andre Bieler: An Artist's Life and Times" and detailing the total costs of the project at $8,925.00.

(Note: Copy distributed to the members of Council)

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to hear delegations, receive reports and to consider motions.

DELEGATIONS

(1) Sonja Nielsen, President, Sonja Nielsen Real Estate Co. Ltd., will be present re: Site Plan Committee Report No. 68 (formerly Report No. 62 and Report No. 65 which were referred to later meetings).

Mr. Walter Elleson, President, Maurice H. Rollins Construction Limited, and Mr. Arnold H. vandermeer will also be present.

(2) Mr. Maderios, Kingston Azores Soccer Club, will be present re 428-A Barrie Street.

(3) Mr. Jerry Jackson, 17 Smith Street, will be present to support a petition by residents of Smith Street.

REPORTS

That Report No. 67 of the Rideaucrest Home Committee be received and considered.

That Report No. 68 of the Site Plan Control Committee be received and considered.

That Report No. 69 of the Public Access Committee be received and considered.

That Report No. 70 of the Chief Administrative Officer be received and adopted.

REPORT NO. 67

August 15, 1980

To the Mayor and Members of Council:

The Board of Management of Rideaucrest Home for the Aged reports and recommends as follows:

1. WHEREAS kitchen renovations are to be undertaken at Rideaucrest Home for the Aged; and

WHEREAS a total of $400,000 for these renovations has been included in the 1980 Capital Budget, which cost will be subsidized by the Ministry of Community and Social Services at a rate of 50%; and

WHEREAS the detailed budget now available indicates that the cost of the renovations will be $440,000.00, and the Ministry of Community and Social Services has indicated to the Ontario Municipal Board that it will subsidize this cost at a rate of 50% or $220,000.00; and

WHEREAS it is necessary for the City to provide additional funding of $20,000 to cover the City's share of $220,000 for this project;

THEREFORE BE IT RESOLVED that the budgeted cost of kitchen renovations at Rideaucrest Home for the Aged of $440,000, to be subsidized 50% by the Ministry of Community and Social Services, be approved;

AND BE IT FURTHER RESOLVED that the following budget transfer be approved:

	Increase	Decrease
Rideaucrest Home - Major Capital Expenditure	$20,000.	
Finance Contingencies		$20,000.

so that the allocation and provision of funds for the kitchen renovations at Rideaucrest is now:

City of Kingston:	
Cash from 1980 Current Budget	$ 20,000
Debentures to be issued	200,000
Ministry of Community & Social Services:	
Subsidy	220,000
TOTAL	$ 440,000

- and further -

That By-Law No. 80-119, 'A By-Law to Authorize Renovations at Rideaucrest Home (Kitchen)', be amended on Third reading to provide for a total cost of $440,000.00.

2. WHEREAS a study on the feasibility of renovations to the kitchen at Rideaucrest Home for the Aged was completed during 1979 by Bernard and Associates; and

WHEREAS it was subsequently agreed to renovate the kitchens at Rideaucrest Home for the Aged; and

WHEREAS additional detailed architectural work was, therefore, necessary in order to provide detailed budgeting information for such kitchen renovations; and

WHEREAS an account by Elliott Associates, Architects, was submitted in April, 1980 covering their professional services for the preparation of detailed budget estimates, in the amount of $5,000.00, for which no budget allocation was made in the 1980 budget; and

WHEREAS the completion of this work will enable the kitchen renovations to proceed;

THEREFORE BE IT RESOLVED that the account of Elliott Associates, Architects, in the amount of $5,000.00 for the preparation of detailed budget estimates for kitchen renovations at Rideaucrest Home for the Aged, be approved for payment and that the following budget transfer be approved:

	Increase	Decrease
Rideaucrest Home - Acct. #9920 - Dietary (other)	$5,000.00	
Rideaucrest Home - Acct. #9915 Raw Food Costs		$5,000.00

(Note: Account and detailed explanation are attached hereto as Schedule 'A' - 2 pages. Please note that this account is not included in the agreed 10% architects fees for the later work on the kitchen renovation project).

3. WHEREAS Council has approved renovations to the kitchen at Rideaucrest Home for the Aged; and

WHEREAS the Rideaucrest Board of Management has had discussions with the Ministry of Community and Social Services and with the architects regarding the procedures for the renovation project, and has been advised that the system of project management is desirable for this project; and

WHEREAS investigations have been made as to firms which could carry out this work;

THEREFORE BE IT RESOLVED that E & M Developers be employed to supervise the renovations to the kitchen at Rideaucrest Home for the Aged, at an agreed-upon cost of $21,000, on condition that no additional costs will be approved unless authorized by the City; and further, that the Mayor and City Clerk be authorized to execute the necessary agreement.

(Note: A letter from E & M Developments, and information of the Construction Management concept, are attached hereto as Schedule 'B')

Respectfully submitted,

CHAIRMAN

Schedule *'A'* to Report No. *67*
(Page *1*)

Elliott Associates Architects

Mr. J. Smith
Rideaucrest Home for the Ages
362 Montreal Street,
Kingston, Ontario

ACCOUNT NO.:

INVOICE 803

JOB NO.: 80-1

To:-

Professional Services rendered in connection with Rideaucrest Home - Alterations to Kitchen Facilities.

Fee Now Due.........................$5,000.00

DA/ma
c.c. Mr. N. Elliott

Partners:
Neil J. Elliott, MRAIC, FRAIA, ARIBA

Members:
Order of Architects of Quebec

275 Ontario Street,
Kingston, Ontario
K7K 2X5
Tel.: (673) 544-3432

Schedule *'A'* to Report No. *67*
(Page *2*)

Elliott Associates Architects

Partners:
Neil J. Elliott, MRAIC, FRAIA, ARIBA

Members:
Ontario Association of Architects

275 Ontario Street
Kingston, Ontario K7K 2X5
Tel.: (613) 544 3432

Rideaucrest Home
362 Montreal Street,
Kingston, Ontario

August 15, 1980

Attention: Mr. J. Smith

Re: Renovations to Kitchen Facilities

Dear Mr. Smith,

We wish to advise you that our Invoice #803 in the amount of $5,000.00 was for the inspections and surveys of the existing facilities at the Rideacrest home which were performed to establish an accurate budget estimate.

This invoice covers all work to date by ourselves, Elliott Associates Architects, the electrical and mechanical consulting engineers, McDougall & Friedman, and the kitchen consultants Bernard and Associates.

Yours truly,

Donald Allan

Donald Allan
DA/ma

Associates:
Donald Allan, MRAIC

Schedule 'B' to Report No. 67
(Page 1)

E&M Developers

592 Justus Drive
Kingston, Ontario K7M 4H4
Phone 389-4250

Contract Managers - Project Managers

July 8, 1980

Rideaucrest Home
362 Montreal Street
Kingston, Ontario K7K 3B6

Attention: Mr. John Smith, Administrator

Dear Sir:

Re: Proposed Renovations and Additions to Rideaucrest Home, Kingston, Ontario

Further to our meeting with your Board members on July 4, 1980 regarding the above project, we are enclosing the following:

a) Brief outline of our company

b) Brief outline of construction management showing the procedure we would use.

c) Copy of the contract that we would be prepared to sign.

You will note that, in our company outline, a large part of our volume over the years has been management. We have successfully completed projects ranging in value from $60,000.00 to three and one-half million dollars, often doing several projects for the same client. At present, we are managing another project the The Empire Life Insurance Company, and completing the 2nd stage of the Restoration of St. George's Cathedral.

From our experience, we have found that three important steps lead to the successful management of a project.

1. The preparation of an accurate budget.
Using the up-to-date costs and estimating department of our Construction Company, we are capable of providing this budget.

Schedule *'B'* to Report No *67*
(Page *2*)

E&M Developers

592 Justus Drive
Kingston, Ontario K7M 4H4
Phone 389-4250

Contract Managers - Project Managers

July 8, 1980 ... 2

2. If possible, call all the tenders to close on the same date. (This would be possible on this project.)
   Using this method, the total cost of the project can be established and adjustments made, if necessary, before any contracts are awarded.

3. Accurate records and bookkeeping.
   We use an in-house computer (L9000 Burroughs) which is programmed to handle the various steps, including progress payments, purchase orders, monthly printouts, etc..

We trust that the enclosures and the foregoing information will be of assistance to you in your decision and that we may be of service to you on the project.

Should we be asked to carry out the management on this project, our fee based on our discussions, the sketches received from you and a site visit would be the sum of $22,000.00.

Yours very truly,

E&M DEVELOPERS

E. A. Mitchell

EAM:dlb

encls.

CONSTRUCTION MANAGEMENT

The Manager, in liason with the Owner, Architect and Administration Staff will be required to provide the services hereafter detailed and should by himself or by his employees have the necessary experience and skills to adequately prosecute the work within the scheduled time. He should possess knowledge of reliable building trades in the area and should be sufficiently versed in construction costs to advise the Owner in cost reduction methods and procedures in the sub-trades.

The Manager will participate in and accomplish the following:

(a) Working with the Team, including Architects and Engineers to ensure the successful completion of the project within the budget and to the Architect's plans and specifications.

(b) Establishing the True Project Budget within which all work is to be acheived. To do this he must examine the Architect's and Owner's uprise Preliminary Budget and, through meetings with the Architect and Team, determine the fraction of the budget for each trade. At the end, he must satisfy the Owner that the work to be done can be done for the True Project Budget.

(c) Establishing the drawings and outline (or full) specification needs for each trade "package" that he intends to call. This he will do with the Architects who will provide him with these tender documents in the number of copies he deems necessary.

(d) Calling of sub-trade tenders, each of whom becomes "Contractors".

CONSTRUCTION MANAGEMENT

(e) Determining the portion in the scope of the whole work that he knows cannot be successfully tendered, but must be achieved within a budget increment by either his own forces; Manpower assistance; an appointed carpenter-contractor or by other means. Such work sometimes includes shoring; hoarding; protections; nailers or strapping; blocking; or other items of work need to facilitate trade package work.

(f) Opening of tenders received with the Architect and Owner, and assisting in the assessment of these. Working with the low bidder to discover means of bringing that segment of work in line with its budget increment (should it exceed same). Re-tendering, if necessary, following review of any given tender package with the Architect.

(g) Establishing the project construction schedule, to be approved by the Owner. Keeping track of all progress trade by trade; checking of Contractors' progress invoices; keeping records of direct expenses, materials expenditures (if connected with (e) above; keeping a log of job decisions by the consultants and of job discoveries; preparation of monthly progress applications for each trade contractor so that, following Architects'/Engineers' verification, these may be submitted to the Owner for direct payment to each contractor. The monthly invoices will require a summary sheet showing the name of each Contractor; percentage of work complete; additions or deductions to each contract by approved change order; cumulative retention of holback until final certification by the Architect.

(h) Keeping of all "as built" changes in the work on his jobsite set of drawings. These to be turned over to the Architect.

(i) Receiving and assessing of requests for additions or deletions to the work of any trade and the relaying of apparently bona fide requests to the Architect for Revision Notice issuance.

CONSTRUCTION MANAGEMENT

(j) Obtaining quotations for all Revision Notices and submission of same in duplicate to Architect.

(k) Authorizing only changes in the work for credit or extra that are on an Architects' change order approved and signed by the Owner. (Exception would be extra work ordered by the Architect by a job site order, used for emergencies or to save the Owner undue extra cost caused by delay.) Incorporating all approved changes on the monthly summary.

(l) Keeping of a job site office and place for job meetings that is lockable. This can be in the building.

(i) Provide on site construction superintendent to co-ordinate the on site work if required.

Note: Item (l) will not be part of the Construction Manager's fee. This will be part of the construction cost and included in the construction budget.

(m) Co-ordinate the work of all trades to ensure no confliction with other trades.

(n) See that all safety requirements are followed including hard hats, safety boots, etc. to the approval of the safety inspector.

(o) Undertake to ensure that all deficiencies or defects in the work are completed and corrected.

(p) Writing of job site meeting minutes and distribution of same.

(q) Obtaining, recording and distributing of shop drawings from the trades or their suppliers, to the Architect and Engineers. Receiving of shop drawings returned as reviewed (or needing revision) and re-distributing these to their source, always keeping a file of reviewed shop drawings needed for correct distribution in regard to each trade.

CONSTRUCTION MANAGEMENT

(q) Cont'd

Normal copies are:
- (1) Job Site Office
- (1) Architect
- (1) Engineer - if engineering is involved
- (1) Owner
- (2) Trade Submitting

(r) Checking by job site measurement of all dimensions, grades, lines and levels whenever this is necessary to ensure work is correctly done.

REPORT NO. 68

(Formerly Report No. 62, Meeting No. 38, 1980, which was withdrawn, and referred to Meeting No. 38, as Report No. 65, which was tabled until August 25, 1980)

August 25, 1980

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

WHEREAS the owner has requested an extension to July 31, 1981;

THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

(See Schedule 'A' attached hereto - 2 pages)

Respectfully submitted,

CHAIRMAN

Schedule "A" to Report No. 68
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

N Jackson

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule "A" to Report No. 68
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORT NO. 69

August 25, 1980.

To the Mayor and Aldermen:

The Committee on Public Access to Information reports and recommends that the following policies be adopted:

A. MEETINGS

1. Meetings of Council and Committees of Council, including Committee-of-the-Whole, shall be open to the public, subject to section 2 herein.

2. The following subjects may be discussed at Committee meetings held *in camera*, if agreed to by a majority of Council members present:

    a) Personnel matters, where a named employee or prospective employee is involved, or where employee relations or reputations could be damaged, unless the individual or individuals involved have requested that the matter be discussed in a meeting open to the public;

    b) Negotiations on salaries or working conditions of employees;

    c) Property matters in which premature public disclosure could cost the public money or be prejudicial to the interests of a property owner or the City, when the acquisition or sale of property is being investigated or negotiated;

    d) Matters in which public discussion could prejudice the City's legal position or be detrimental to the City in proceedings before any Court or administrative tribunal;

    e) Consideration of Awards of Merit (for example, by the Honourable Achievement Awards Committee); and

    f) Matters that are specifically restricted by legislation regarding the protection of privacy.

3. No person other than Council members and invited persons shall attend *in camera* meetings.

4. A "meeting of a committee of Council" shall be defined as a majority of committee members, the meeting convening after due notice has been given in accordance with By-Law No. 1, to make decisions and/or recommendations on any matter.

5. Meetings of Committees of Council may be held *in camera*, preferably prior to a regularly scheduled meeting, when an item or items described in section 2 herein warrants such *in camera* meetings.

6. Insofar as possible, *in camera* meetings shall commence at an hour appropriate to finish in time for open Council meetings at 8 p.m., and shall be immediately terminated after items on the agenda have been considered.

7. The Committee-of-the-Whole *In Camera* agenda must be adopted by motion at the commencement of each meeting. Items can be added or deleted by amendment.

8. Except where Committee-of-the-Whole members present agree by a majority vote that a matter requires urgent and immediate action, final decisions of *in camera* Committee-of-the-Whole meetings will be reported at the next following regular Council meeting, and will be included in the Council agenda as a report from the Committee-of-the-Whole.

9. That section 1 (Proceedings of Council) of By-Law No. 1, 'A By-Law to Regulate Council Proceedings', be amended to provide that meetings of Council be held at 8 p.m., except where delegations request to be heard in a location other than televised Council Chambers. Delegations shall be advised that they may make presentation either in televised Council Chambers or prior to the televised meeting in another location.

B. ACCESS TO DOCUMENTS

1. In accordance with Section 216 of *The Municipal Act*, any "records, books, accounts and documents in the possession or under the control of the Clerk" may be inspected by members of the public.

2. Minutes of *in camera* meetings and reports presented to *in camera* meetings shall be available to the public when final decision is made by Council, unless otherwise prohibited by law.

3. Upon reasonable notice, any person shall be permitted, during City Hall working hours, to inspect any records, plans, books, accounts, documents, correspondence and reports which have been reported or distributed to Council, or a committee of Council, unless such documents must remain confidential by law.

4. Final consultants' reports shall be made available to the public as soon as they have been distributed to Council members and staff. Reports should be distributed as soon as practicable.

5. Documents, reports and plans relevant to an issue being discussed at a public meeting shall be made available for viewing before and at such public meeting. This includes copies of the Official Plan and Zoning By-Laws, planning staff reports and plans to be presented at such public meeting.

6. Upon request and payment of a rate fixed by Council, the Clerk shall furnish within a reasonable time copies (certified if required) of any of the foregoing records, except if prohibited by law. There shall be no charge made to members of Council or other City officials.

7. Building plans may be viewed by the public after an application is made for a building permit, site plan control approval, rezoning, or Official Plan change. Preliminary plans submitted to the City for comment prior to an official application shall be made public at the discretion of the Chief Administrative Officer or by a decision of Council.

C. MEDIA AND PUBLIC RELATIONS

1. Complete Council Minutes and Agendas, including schedules and reports to Council, shall be available to the media and the public.

2. When dealing with the media and the public, City employees are encouraged to provide information within their realm of responsibility. Employees are urged to differentiate between their own personal opinions and City policy. Prior approval of the Chief Administrative Officer is not required.

3. No member of staff, Council or Council committee shall make any public statement concerning any matter which, to his/her knowledge, has been discussed at an *in camera* meeting until the matter has been reported at an open meeting of Council or Committee of Council.

4. That it be recommended to the Clerk's Department that a simple manual be prepared for use by City staff and the public, to define concisely the responsibility of each City Department, and to indicate the name of a contact person for each department who could provide information and assistance.

(Note: Introduction from Alderman Miller, Chairman of the Committee, is attached hereto as Schedule 'A' - 1 page; Resolution of Council dated March 24, 1980, is attached as Schedule 'B' - 1 page).

Respectfully submitted,

CHAIRMAN.

REPORT FROM THE COMMITTEE ON PUBLIC ACCESS TO INFORMATION

On March 24, 1980, City Council established a subcommittee to review the policies regarding "public access to information at City Hall". (Motion of March 24, 1980 is attached as Schedule 'B'). The Committee was instructed to examine three specific topics: in camera discussions, public access to documents, and staff interviews with news media. Three aldermen were appointed to the Committee: Aldermen Gerretsen, Knapp and Miller. At the Committee's first meeting, Ald. Miller was elected Chairman.

During the past five months, the Committee has undertaken a number of tasks:

- *distributed a questionnaire to nine other Ontario municipalities to learn their procedures, and studied their responses;*
- *requested and received submissions from members of Council and City department heads, including the City Solicitor, and from representatives of Kingston area media;*
- *held 10 meetings which were usually attended by members of the public and news media;*
- *studied the report "Freedom of Information in Local Government in Ontario", a background paper prepared for the Commission on Freedom of Information and Individual Privacy, established by the government of Ontario in 1977;*
- *read relevant articles from Municipal World, The Municipal Monitor and The Whig-Standard;*
- *examined current relevant policies of the City of Kingston.*

Members of the Committee agree that public knowledge of the bases for government decisions is essential to the democratic process. Citizens must know not only the effects of government decisions but also the reasons behind those decisions. Meetings must be open, and information and documents readily available, if citizens are to understand policy decisions and to judge the performance of their representatives. Realizing that many citizens depend on the media as sources of information, the Committee believes the City must do all in its power to convey accurate and complete information to the news media. We recognize, however, that in certain specific instances, public interest is best served if discussions are conducted in closed sessions and if documents remain confidential. The Committee recommendations follow from these principles.

As Chairman of the Committee, I wish to thank the Committee members, Aldermen Knapp and Gerretsen, who worked diligently on these recommendations; Lila Kitching and Lynn Haver who assisted with research and editing as well as acting as committee secretaries; Mr. Hamilton, the Aldermen and City department heads who attended our meetings and made written and/or oral presentations; the members of the public who attended meetings and often contributed useful suggestions; and the representatives of the local media who made thorough presentations to the Committee.

Ald. Lois Miller,
Chairman

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Clerk

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-6

MEMORANDUM

TO: Alderman L. Miller
Alderman J. Gerretsen
Alderman W. Knapp

DATE: April 2nd, 1980

RE: Public Access to Information - Establishment of Subcommittee

This will confirm that the Council of The Corporation of the City of Kingston approved the following Motions at their regular meeting held March 24th, 1980:

"That Council establish a subcommittee to review the policy for public access to information at City Hall;

That this committee develop a clear-cut policy regarding In Camera discussions;

That this committee review the City's policies regarding access to documents;

That this committee review the policy regarding employees being interviewed by the media;

That the City Solicitor be asked to examine In Camera procedures and relay any recommendations he may have;

That the City Clerk and the Chief Administrative Officer develop and recommend new procedures for meetings to ensure the formal Council meeting begins at a regularly scheduled time.

That this Committee familiarize themselves with the recommendations contained in the study on Freedom of Information in local government so as to compose a submission in response to the study, if required."

"That Ald. Miller, Ald. Gerretsen and Ald. Knapp be appointed to the subcommittee to review the policy for public access to information at City Hall."

M. C. Healy,
City Clerk.

MCH:jm

c.c. Mr. R. J. Hamilton, Chief Administrative Officer.
Mr. N. C. Jackson, City Solicitor.

REPORT NO. 70

August 11, 1980

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Commissioner of Parks and Recreation and further to Clause 21, Report No. 64, the sculpture "First Ship" is hereby authorized to be located on Belle Park Drive, approximately midway between Montreal Street and Belle's Island and on the water side of the road.

   (Note: A copy of the Report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 2 pages)

2. That, as recommended by Mayor Keyes and since approval for the proposal has been received from the Public Utilities Commission, Kingston General Hospital, St. Mary's of the Lake Hospital, Kingston Psychiatric Hospital and Hotel Dieu Hospital, the approval of Council is hereby given to the Arts & Science Undergraduate Society of Queen's University for a fireworks display on September 11, 1980, under the supervision of the Kingston Fire Department at the P.U.C. Water Purification Dock.

3. That, as recommended by the Commissioner of Works, the tender of Canadian Salt Company Limited for the supply of 4,000 tonnes (more or less), at $25.40 per tonne, of course crusted rock salt for ice control purposes be accepted being the lower tender received.

   (Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "B", 2 pages).

4. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St. from Scott St. to Dunlop St. under Section 7 of the Local Improvement Act.

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

- and -

That the following transfer in the 1980 Capital Budget be approved:

4. (Cont'd)

Project	Increase	Decrease
Local improvement: Sidewalk - Napier Street	$1,300.00	-
General Rate: Sidewalk	-	$1,300.00

- and -

The Capital Budget allocation of $2,200. for Montreal Street walk be reallocated for the Napier Street walk.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "C", 1 page)

(See By-law 2 : No. 80-181)

5. That, as recommended by the Commissioner of Works, the tender of K. Mulrooney for the supply of 2,000 c.y. (more or less) of winter control sand at $2.64 per c.y., including screening, delivery and stockpiling, be accepted, being the lowest tender received.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "D", 2 pages)

6. That, since the City's offer to purchase 54 Stephen Street for the sum of $25,000.00 has been accepted, approval is hereby given to authorize the purchase of the property of Herbert Lakins and Gladys Lakins known as 54 Stephen Street for the sum of $25,000.00 on the following conditions:

   a) Acquisition date to be August 29, 1980;

   b) Date of vacant possession to be September 15, 1980; and

   c) That the Lakins be permitted to remove two aluminum storm doors, the french doors in the living room and the light fixture in the kitchen.

(Note: Provision for this expenditure was made in the 1980 budget and there is a 50% subsidy of $12,500. from Ministry of Transportation and Communications)

7. That, as recommended by the Kingston and Area Real Estate Association, the resolution of the City of Cambridge requesting an amendment to the standard "Agreement of Purchase and Sale" to provide for a *Seventy-two (72) Hour Cancellation clause* therein be filed.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "E", 5 pages)

8. That the Reports of the City Solicitor and the Director of Planning and Urban Renewal, attached hereto as pages 1, 2 and 3 of Schedule "F", on Communication (509) from Ald. Webb, advising that he had been contacted by Thomas Lemmon and Sons Ltd., owners of the property located at Bagot and North Streets, who claim that they have been subjected to expenses between $2,000. and $4,000. during the period of proposed acquisition of their property by N.I.P.;

That Thomas Lemmon & Sons had never approached the City expressing a desire to sell their property; and therefore Ald. Webb felt they may have very valid grounds for compensation for their incurred costs, be considered.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "F", 3 pages)

9. That a grant of $300.00 be approved for payment to the Thyroid Eye Research Fund, Queen's University,

- and -

That the following budget appropriation amendment be approved:

Finance	Increase	Decrease
Grants - Thyroid Eye Research Fund	$300.	-
Contingencies	-	$300.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "G", 1 page)

10. That the accounts of Devan Enterprises Inc. in the total amount of $1,530.40 for the professional services of Mr. J.P. van Haastrecht during June and July and expenses be approved for payment.

(Note: A copy of the accounts, $1,337.06 and $193.34, together with explanation, is attached hereto as Schedule "H", 3 pages).

11. That the resignation of Mr. J.P. van Haastrecht, President, Devan Enterprises Inc., as Consultant for Downtown Redevelopment for the Corporation of the City of Kingston be accepted, since he has accepted a position with Campeau Corporation as their Vice-President of Commercial Development, and that the appreciation of council be extended to Mr. van Haastrecht for his role as the City's consultant.

(Note: Copy of memorandum from the Chief Administrative Officer, dated August 12, 1980 enclosing letter of resignation of Mr. van Haastrecht was distributed to all members of council on August 14, 1980).

12. That the Report of the Chief Administrative Officer concerning current Budget - Downtown Redevelopment and attached hereto as Schedule "I", 2 pages, be considered.

13. That Mrs. Lin Good be appointed a member of the Review Committee, representing the County of Frontenac and the City of Kingston, to review the 1980 estimate of expenditures of The Children's Aid Society of the City of Kingston and the County of Frontenac.

14. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the reconstruction of the concrete sidewalk in Ontario Street east side from Johnson Street southerly 85.34 m under Section 7 of The Local Improvement Act.

Total estimated cost	$4,900.00
Owner's share	2,187.38
City's share	2,712.62
Debenture amount	4,900.00

- and -

That the following transfers in the 1980 Capital Budget be approved in order to provide an allocation for this work:

Project	Increase	Decrease
Local Improvement Walks - Ontario Street	$4,900.00	
Local Improvement Storm - Misc.		$4,900.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "J", 1 page)

(See By-law 3 : No. 80-182)

15. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the reconstruction of the asphalt pavement in Ontario Street from William Street to Johnson Street under Section 7 of the Local Improvement Act.

Total estimated cost	$57,000.00
Owner's share	4,543.56
M.T.C. subsidy	21,578.00
City's share	30,878.44
Debenture amount	35,422.00

- and -

That the following transfers in the 1980 Capital Budget be approved in order to provide a total allocation of $35,422.00 for this work:

15. (Cont'd)

Project	Increase	Decrease
Local Improvement Roads - Ontario St.	$10,422.00	-
Local Improvement Storm - Ontario St.		$4,000.00
Local Improvement Storm - Misc.		6,422.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "K", 1 page)

(See By-law 4 : No. 80-183)

16. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the construction of curb, gutter and boulevard on the east side of Ontario Street from Johnson Street southerly 88.39 m under the provisions of section 7 of the Local Improvement Act.

Total estimated cost	$3,000.00
Owner's share	555.85
M.T.C. subsidy	1,222.00
City's share	1,222.15
Debenture amount	1,778.00

- and -

That the following transfer in the 1980 Capital Budget be approved in order to provide an allocation for this work:

Project	Increase	Decrease
Local Improvement Road - Ontario St.	$1,778.00	-
Local Improvement Storm - Misc.	-	$1,778.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "L", 1 page)

(See By-law 5 : No. 80-184)

17. That the following resolution of the City's Residency Appeal Committee (Communication 544) be approved:

> *"Whereas the Province of Ontario assumed the municipal share of losses on Kingston Housing Authority Rent-Geared-to-Income Units as of April 1, 1980, and*
>
> *Whereas the Ontario Housing Corporation has directed the Kingston Housing Authority to eliminate the 12 months residency in Kingston rule on or before January 1, 1981, and*
>
> *Whereas after January 1, 1981 any resident in the Province of Ontario for 12 months may apply for and be housed in a unit in the City of Kingston, and*

---

17. (Cont'd)

Whereas the proximity of institutions, such as Millhaven, Frontenac, Joyceville, etc., attract relatives and friends of the inmate population, and

Whereas many of these non-residents may apply to and be housed by the Kingston Housing Authority, and

Whereas many of those so housed apply for welfare and require other municipal services, and

Whereas this creates an unusual financial burden on the Kingston taxpayers,

Therefore be it resolved that the City of Kingston request the Government of Ontario to assume the municipal 20% of welfare cost for all non-residents of Kingston housed by the Kingston Housing Authority, and

Be it further resolved that copies of this resolution be forwarded to Honourable Keith Norton, M.P.P."

(Note: A copy of a Report of the Chief Administrative Officer is attached hereto as Schedule "M", 2 pages)

18.(A) Whereas Clause 8 of Report No. 63 of the City of Kingston Planning Board was deferred for consideration when a report from the Commissioner of Works on the costs involved in restoring the visible portions of the cobblestone streets, rather than repairing the entire street to the water's edge was received;

That the Report of the Commissioner of Works, attached hereto as Schedule "N", 1 page, be now considered.

(B) (Formerly Clause 8, Report No. 63):

That the following resolution, passed by Council at its meeting on June 5, 1980 (Clause 1, Report No. 49) be reaffirmed:

"That, as recommended by the Local Architectural Conservation Advisory Committee, all brick streets in the City of Kingston be preserved and maintained as such for the enjoyment of future generations, particularly the foot of Johnson, Brock and Clarence Streets, and that portion of Pine Street which are paved with brick, and that approaches be made to the Ontario Heritage Foundation and the Kingston Historical Society for support for the preservation and maintenance of these particular streets."

- and further -

That the aforementioned cobblestone streets (foot of Johnson, Brock and Clarence Streets and a portion of Pine Street) be preserved, restored and maintained to the best of the City's ability.

19. That, further to Clause 6 of Report No. 45, 1980, when the Commissioner of Works was requested to defer that portion of Tender No. 80-2 with respect to Clarence Street from Ontario Street to the waterfront, as recommended by the Commissioner of Works, authorization is hereby given for the presently approved work in Clarence Street from Ontario Street easterly to now commence, it being understood that the cobblestones will be salvaged and transported by the Contractor to the City Yard for storage for use at a later date.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "O", 2 pages)

20. That, as recommended by the Commissioner of Works, the Local Improvement program for Paving, as set out on the attached Schedule "P", is hereby approved, it being understood that individual by-laws will be initiated for each of the projects, either under Section 7 or Section 8 of the Local Improvement Act, having a total estimated debenture amount of $74,400.00 with any necessary transfers of budget allotment included in the individual recommendation for by-laws.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "P", 1 page)

21. That, as recommended by the City Solicitor, a quit claim deed to Canada Mortgage and Housing Corporation for the City's interest in Lot 77, Registered Plan No. 1088, being described as Parts 1 to 9, Reference Plan 13R-403 and known as 330-334 Sydenham Street is hereby authorized to be executed by the Mayor and City Clerk in order to release C.M.H.C. from an agreement with the former owner of this property as its conditions are completed.

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "Q", 1 page)

22. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council for THREE READINGS ON AUGUST 25, 1980, to authorize the execution of a connecting link agreement with the Minister of Transportation and Communications for the construction of Princess Street from 287.26 meters east of Portsmouth Avenue to 137.75 meters west of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement at Princess Street and Sir John A. Macdonald Boulevard.

(Note: A copy of the Report of the Administrator is attached hereto as Schedule "R", 2 pages)

(See By-law 9: No. 80-188)

23. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council to amend By-law No. 24 (Traffic By-law) to provide that parking be prohibited on the west side of Macdonnell Street between Princess Street and South Bartlett Street.

(Note: A copy of the Report of the Administrator is attached hereto as Schedule "S", 1 page).

(See By-law 6 : No. 80- 185)

24. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council to amend by-law No. 10, "A By-law Respecting Streets" to grant permission to the owner, Mr. Ernest Muller, to pave the narrow strip of City boulevard between the curb and the sidewalk (approximately 3 feet by 25 feet) in front of 893 Division Street, on the condition that this asphalt area not be used for parking of vehicles.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "T", 1 page)

(See By-law 7 : No. 80- 186)

25. That:

(A) The Arts & Science Undergraduate Society of Queen's University are hereby granted permission to hold a "Mardi Gras Festival" on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m.;

(B) A By-law be presented to council to close Queen's Crescent from University Avenue to Albert Street to vehicular traffic, on a temporary basis, on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. for community purposes in order that the Arts and Science Undergraduate Society of Queen's University may hold a "Mardi Gras"; and

(C) The request of the Arts and Science Undergraduate Society of Queen's University for an exemption from the "Noise By-law" while holding a "Mardi Gras" at Queen's University on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. is hereby granted.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "U", 2 pages).

(See By-law 8: No. 80- 187)

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Schedule "A" to Report No. 70
(Page 1)

AUG 13 1980

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: August 13, 1980

SUBJECT: SITING OF SCULPTURING "THE FIRST SHIP"

ORIGIN: Department of Parks & Recreation

ANALYSIS: As per Council's instructions, this matter is back for consideration as to the the siting of the work.

In my first report to Council on this subject (see attached) I listed four sites in order of my priorities.

RECOMMENDATION: It is recommended that the "First Ship" be placed on Belle Park drive, approximately mid way between Montreal Street and Belle's Island and on the water side of the Road.

Douglas R. Fluhrer
Commissioner
Parks & Recreation

DRF/klh

attachment

Schedule "A" to Report No. 70
(Page 2)

MEMORANDUM

TO: Mayor K. Keyes

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department

DATE: July 23, 1980

SUBJECT: SCULPTURE - "FIRST SHIP" - ST. LAWRENCE COLLEGE

ANALYSIS: As per your instructions, I have met with Mr. Gaye Bullock, who has a piece of sculpture now located on the grounds of St. Lawrence College. Mr. Bullock must now move it and is looking for some suitable waterfront park in which to locate it.

Further, and as instructed, I have investigated the ways and means to move and base such a piece of work, and also I have discussed possible sites with Mr. Bullock. The structure is very sturdy and should withstand punishment.

FINANCIAL CONSIDERATIONS:

a. It is my understanding this is being offered to the City free of charge.

b. Mr. Bullock will assist the City in moving it (provide truck and crane), and design base.

c. Outside cost to the City should be approximately $700.00.

RECOMMENDATION:

1. If Council wishes to accept this gift, I offer the following possible sites for consideration, and in order of priority as I see them.
    a. Belle Island Drive Park - midway between the island and Montreal St.
    b. Orchard Street Park
    c. Dry Dock
    d. Lake Ontario Park.
2. I would warn St. Lawrence College this is done without prejudice, as they may go on producing many such works of this size, and we cannot go on accepting and housing all of them. This one has a water - ship theme which is appropriate in Kingston, and its lines are rather formal and pleasing.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.
DRF/dg

Schedule "B" to Report No. 70
(Page 1)

AUG 20 1980

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - August 13, 1980

SUBJECT Tender No. 80-31 Ice Control Salt

ORIGIN Purchasing Department - to meet the requirements of the Public Works Department for salt used on the roads and walks for ice control.

ANALYSIS A memorandum from Mr. Plumley of the Purchasing Dept. is attached.

Tenders

Canadian Salt	$25.40 per tonne
Domtar	$25.455 per tonne

Both companies have satisfactorily supplied salt to the City at various times.

EXISTING POLICY The lower tender is recommended unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Purchasing Department.

FINANCIAL The lower tender is about 9% above our 1979 price and 2% below the M.T.C. price for this area for this winter.

RECOMMENDATION That the tender of Canadian Salt Co. Ltd. for the supply of 4000 tonnes (more or less) at $25.40 per tonne of course crusted rock salt for ice control purposes be accepted being the lower tender received.

D. Graham, P. Eng.
Commissioner of Works

Schedule "B" to Report No. 70
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works.

FROM: Mr. R. J. Plumley, Purchasing Department.

SUBJECT: Tender No. 80-31 Ice Control Salt.

DATE: August 13, 1980.

Dear Mr. Graham:

Two tenders only as set out hereunder, have been received in response to the subject invitation covering an estimated 4000 tons more or less of coarse-crushed rock salt for ice control purposes.

Canadian Salt Company Limited	$23.04 ton ($25.40 tonne)
Domtar Chemicals Limited	$23.093 ton ($25.455 tonne)

The lowest price is approximately $.53 per tonne less than that accepted by The Ministry of Transportation and Communications for this area.

I would recommend for consideration that the tender of Canadian Salt Company Limited be accepted being the lower tender received.

Yours very truly,

R.J. Plumley

R. J. Plumley,
Purchasing Dept.

RJP/vn

cc. Mr. R. J. Hamilton,
Mr. B. G. Cousens.

NOTE: Period Of Use - 1980-1981
Method Of Invitation- Public & Individual
No. Of Invitations Sent - Three
Date Of Mailing - July 14, 1980
Date Of Closing - Aug. 8, 1980
No. Of Invitations Rec'd - Two

All invoicing will be in Metric Measure, Metric Tonne 1000 kg. = 2205 lbs.

Schedule "C" to Report No. 70
(Page 1)

Memo to	Mr. R.J. Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of a concrete sidewalk (1.5 m wide) on Napier St., west side, from Scott St. to Dunlop St.
Origin	Public Works Department
Analysis	A sufficiently signed petition has been received for the above mentioned work. This project was initiated previously under Section 8 of the Local Improvement Act.
Existing Policy	When a sidewalk is constructed in a residential area for the first time, it is done under the Local Improvement Act.
Financial	The Local Improvement walk schedule includes a walk on the east side of Montreal St. from 55 m. north of Raglan northerly 31 m. The only owner has refused to sign a petition. The outcome of an O.M.B. hearing is doubtful at this time. It is suggested that rather than proceed under Section 8 with the Montreal St. walk, we use the $2,200.00 provided for it towards the Napier walk and transfer $1,300.00 from a small surplus ($2,040.00) left in General Rate Walks to provide the necessary $3,500.00.
Recommendation	That since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St. from Scott St. to Dunlop St. under Section 7 of the Local Improvement Act.

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

And, that the following transfer in the 1980 Capital Budget be approved.

Project	Increase	Decrease
Local improvement sidewalk	$1,300.00	
General Rate sidewalk		$1,300.00

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "D" to Report No. 70
(Page 1)

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer
FROM:	D. Graham, Commissioner of Works
DATE:	August 19th, 1980
SUBJECT:	Tender 80-32 for Winter Control Sand
ORIGIN:	Purchasing Department-to meet the needs of the Public Works Department for sand to be used on slippery roads and walks.
ANALYSIS:	A memorandum from Mr. Plumley of Purchasing is attached. Six tenders were received with K. Mulrooney Trucking being the lowest at $2.64 per c.y. The Purchasing Department report samples taken from the pit meet the specifications. Further sampling and testing is carried out during delivery.
EXISTING POLICY;	The lowest tender is recommended for acceptance unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Purchasing Department.
FINANCIAL:	The lowest tender is about 2% lower than in 1979.
RECOMMENDATION:	That, the tender of K. Mulrooney Trucking for the supply of 2000 c.y. (more or less) of winter control sand at $2.64 per c.y. including screening, delivery, and stockpiling be accepted being the lowest tender received.

D. Graham, P. Eng.
Commissioner of Works

DG;JC

Encl.

for

WINTER CONTROL SAND

PERIOD OF USE: 1980 - 1981
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 23

DATE OF CALLING: July 8, 1980
DATE OF CLOSING: July 22, 1980
NO. OF TENDERS RECEIVED 6

QTY.	DESCRIPTION	(1) K. MULROONEY	(2) JOYCEVILLE SAND & GRAVEL	(3) D.A. FOLEY	(4) WM. FLETCHER	(5) WOODS SAND & GRAVEL	(6) MEL SILVER
2000 cu.yd. more or less	Sand for Winter control purposes per cu. yd.	$2.64	$2.79	$2.78	$2.92	$2.69	$3.00
	Stockpiling & mixing per cu. yd.	above includes stockpiling	No extra charge	$ .15	$ .20	not prepared	$ .25
	Price cu. yd. (Mixed & Stockpiled)	$2.64	$2.79	$2.93	$3.12	N/A	$3.25

REMARKS

The herein tabulation is a summary of tenders received in response to the subject invitation for Winter Control Sand.

Tests conducted on samples taken from the pit , to be used as supply source by the lower bidder, were found to meet the gradation standards specified.

RECOMMENDATION

It is recommended for consideration that the tender (1) K. Mulrooney Trucking for the supplying of 2000 cubic yards (more or less) Winter Control Sand at $2.64 per cubic yard including delivery, screening and stockpiling be accepted being the lowest tender received.

Respectfully submitted,

R. J. Plumley,
Purchasing Department.

NOTE:

1979	Price	$2.69	cu. yd.
1978	"	$3.00	cu. yd.
1977	"	$3.30	cu. yd.
1976	"	$3.38	cu. yd.

Schedule "E" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-1

August 14, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: Resolution - City of Cambridge
Cooling-off period for Real Estate Transactions

This matter was brought to the attention of the Kingston and Area Real Estate Association who replied as per the attached letter.

We would therefore recommend that we file this resolution at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "E" to Report No. 70
(Page 2)

Kingston and Area Real Estate Association

(INCORPORATED 1955)
PHONE 548-4889 (AREA CODE 613)
155 BROCK STREET P.O. BOX 75
KINGSTON, ONTARIO K7L 4V6

Member of:
ONTARIO REAL ESTATE ASSOCIATION

CANADIAN REAL ESTATE ASSOCIATION

AUG 8 1980

August 1, 1980

Mr. R. J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Sir:

RE: Cooling-off period for Real Estate Transactions

Enclosed please find a copy of a brief prepared by the Kingston and Area Real Estate Association with regard to the resolution passed by the City of Cambridge. Mrs. Houghton has advised us in her letter of July 21, 1980 that this matter was referred to your department and we trust that the enclosed will be of some assistance to you. Should you have any questions, please give me a call.

Yours truly

KINGSTON AND AREA REAL ESTATE ASSOCIATION

Stuart Vandermeer/fj

Stuart Vandermeer
President

SV/fj
encl.

MLS
MULTIPLE LISTING SERVICE

Schedule "E" to Report No. 70
(Page 3)

THE CAMBRIDGE RESOLUTION

cently the Council of the City of Cambridge passed a resolution petitioning the Provincial vernment and specifically the Minister of Consumer and Commercial Relations to seek endment to the standard for of "Agreement of Purchase and Sale" such amendment to include seventy-two (72) hour cancellation clause. This amendment has been sent to all the nicipal councils across the province with a request for support.

the prologue to the resolution, the reason that is given for requesting this amendment is at "many citizens especially senior citizens are signing these standard agreement forms thout fully understanding the consequences of the actions and without professional non-bias vice with respect to the purchase or sale of a property."

Ontario and all across Canada, real estate practitioners are governed by a code of ethics d standards of business practice as well as a variety of government legislation. For real tate brokers and sales representatives who are members of the Ontario Real Estate Association is means adhering to the stringent Code of Ethics and Standards of Business Practice of the nadian Real Estate Association.

the CREA Code of Ethics and Standards of Business Practice, for example, the following andards are demanded among others:

rticle 1
The member shall be well informed on current market conditions in order to be in a sition to counsel his clients in a repsonsible manner.

ticle 2
In accepting employment as an agent the Member pledges himself to protect and promote the terests of the client, without relieving him from the obligation of dealing fairly will all rties to the transaction.

ticle 3
The Member shall ascertain and disclose all pertinent facts concerning every property for ich he accepts the agency so that he may fulfil his obligation to avoid error, exaggeration, srepresentation, or concealment of pertinent facts.

ticle 6
The Member, for the protection of all parties with whom he transacts business, shall see at financial obligations and commitments regarding real estate transactions are in writing, pressing the exact agreement of the parties; and that copies of such agreements, at the time y are executed, are placed in the hands of all parties involved.

ticle 7
The Member shall not discourage parties to a transaction from seeking legal counsel."

the local level these standards are enforced by the bylaws of the Kingston and Area Real ate Association through the Ethics Committee and this committee is empowered to act on all plaints received from the public or other brokers and may even initiate action on their if they feel there has been an infraction of these standards by a member. If such an raction is determined to have occurred, they may impose a fine of up to $2,000.00 or expell member from the Association.

real estate industry is also governed by various goverment legislation. For example, under Real Estate and Business Brokers Act of the provincial Ministry of Consumer and Commercial ations, to obtain a salesman's registration, an applicant must complete the 150 hour roductory Course, obtain employment with a registered broker and post a $1,000.00 surety bond.

qualify as a broker, the applicant must complete the Certificate Programme, which consists a minimum of four 30-hour courses dealing with the principles of appraisal, mortgage ancing, real property law, etc. and the 30-hour Real Estate Administration Course.

nis education policy is determined by a standing committee appointed by the Minister of onsumer and Commercial Relations and is administered through the Ontario Real Estate ssociation. The ministry has the power to revoke registrations if it is determined that the egistrant has violated the Real Estate and Business Brokers Act in any way and any member of ne public may contact the ministry directly if they have a problem with a real estate ractitioner.

: the federal level one of the pieces of legislation governing the real estate industry is ne Combines Investigation Act of 1976 which imposes very strict advertising and business candards, and infractions of this Act may result in imprisonment for up to five years or a ne of $1,000,000.00 or both. Here as well, the public may apply directly if they feel nere has been an infraction.

ne real estate practitioners of the province are as interested as anyone in protecting the ghts of all citizens whether they are 18 or 80 and as we have outlined, there are a number courses of action open to individuals who feel they have been unfairly dealt with by a eal estate broker or salesperson. They can appeal to the Ethics Committee of the local real state board. They can contact the Registrar of Real Estate at the Ministry of Consumer and mmercial Relations in Toronto. And finally, there is the legal and court system of the ovince of Ontario.

rough the Code of Ethics to which all members of the Ontario Real Estate Association and all cal real estate boards subscribe, it is evident that organized real estate believes that e interests of the consumer are paramount. They further indicate that proven charges of scrupulous activities by any member will be severely and immediately dealt with.

the Cambridge resolution the statement is made that persons signing the standard agreement rms are doing so without fully understanding the consequences of the actions and without ofessional non-bias advice. There is, however, no mention of any factual evidence to back this statement.

rthermore, the resolution is requesting an amendment to the standard agreement of purchase l sale form used by members of the Ontario Real Estate Association. Membership in the tario Real Estate Association is voluntary, not mandatory, and thus there are real estate actitioners in the province of Ontario who are not members of the Association and thus do : use the standard form. How will this amendment "protect" citizens from them.

the above reasons alone, we fell it is unnecessary to legislate a 72 hour cooling off riod for prospective purchasers and vendors. However, there are more serious economic percussions if such a move should be introduced.

ike a situation in which consumers are given "cooling-off" protection from door to door esmen, it must be understood that real estate transactions are entirely different.

l estate transactions normally are transfers of real property between two consumers with real estate agent bringing the two parties together for this purpose. In the majority of es, the vendor is himself purchasing real property and, often that transaction is ditional on the sale of the vendor's property.

2-hour cooling-off period in this instance would severely jeopardize the owners ability to l his property and purchase a new property within the minimum time period it not takes, could result in a vendor finding at the end of his 72 hours that the house on which he had e a conditional offer had been sold to someone else (and he would be unable to waive the otection" of the 72-hour period.)

ply put, if every offer on a property could be withdrawn by a purchaser over a 72-hour iod, of if a vendor wuld "sit on" an offer for 72 hours after acceptance, uncertainty would ect the marketplace and severely hamper real estate activity - activity which is a keystone Ontario's economic health.

o, there is no indication as to the intent of the coolin-off period. Who is it aimed at?
at is its purpose? Does it affect the purchaser only? Or the vendor? Or both? And
en does the 72 hours begin to run?

deed, the simplest real estate transaction would unnecessarily be made more complex as offers
d counter-offers on property which can now be handled in two days would wind up taking a
nimum of a week.

r example: Vendor A receives an offer (presumably subject to the 72 hour period in favour
the purchaser). After 24 hours he counter offers. The purchaser accepts the counter-offer
d another 72 hour period begins to run. Vendor A meanwhile, is looking at Vendor B's
operty, but cannot make an offer until he knows his own property is sold. Once the offer
Vendor A's property is firm, Vendor A then makes an offer on Vendor B's property and the
ole process starts all over again. If Vendor B also wants to purchase a home, the
mplexity becomes mind boggling.

e concept of the cooling-off period also opens up a Pandors's Box of frivolous offers which
n be given and withdrawn at will withing the specified time frame. Recently, a 10-day
oling off period was suggested for purchasers of condominiums. While the legislature of
tario felt that this was a wise steip when the purchaser was buying from the builder (or
nufacturer, if you will), it forcefully rejected the idea of such cooling-off periods for
sale condominiums, realizing that transaction costs would rise dramatically due to the
olonged process involved and the very real possibility of numerous frivolous offers being
de on each property listed for sale.

d finally, the proposal serves to further erode the rights of the property owner in that he
unable to deal with his property in the manner he wishes due to a provision intended for
s "protection".

summary, the reality of the Cambridge resolution, like that of the Tecumseh resolution
de last year, is that is is frivolous, made without substantiated charges and without careful
ought to the economic ramifications of its proposals.

rough industry action and codes and through existing government legislation, there are a
mber of alternate routes of action for those who believe they have been unfairly dealt with
real estate brokers or sales representatives.

cooling-off period is unnecessary and would cause serious economic repercussions, increasing
e cost of real estate transactions and creating problems for buyers and sellers which they
not have at the moment. Further more as pointed out before, amending the standard agreement
purchase and sale will not protect all citizens, only those who are dealing with members of
e Ontario Real Estate Association, and who, therefore, are already protected by the
ringent Code of Ethics and Standards of Business Practice imposed by this body on its members.

e Board of Directors of the Kingston and Area Real Estate Association strongly urges your to
nsider all the pitfalls of the cooling-off resolution. It may well appear to be a "Motherhood
oposal", but, in fact, it would create more problems than it is intended to sclve, since
plication of such resolution is directly opposed to our traditional system of Free Enterprise
responsible citizen participation.

Schedule "F" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-2.70-6

August 15, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: THOMAS LEMMON & SONS LTD.
79 NORTH STREET

We are forwarding herewith a copy of a memorandum from Mr. Jackson and Mr. Muirhead concerning the relationship between the City and Thomas Lemmon and Sons.

City Council referred this memorandum to the City Solicitor with the request he report to the City with regard to legal expenses, which Mr. Jackson has set out.

Mr. Jackson indicated it would appear to him that there was no legal obligation to pay the expenses incurred by Thomas Lemmon & Sons Ltd.. Further, if City Council feel the landowner was harassed, as suggested by the Alderman, it could consider making an ex gratia grant to the landowner, but such action is not legally required.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Office of the
City Solicitor
Our Ref. No. 80-170

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: August 14, 1980

RE: Thomas Lemmon & Sons Ltd.
79 North Street

At the City Council meeting of July 14, 1980, Alderman Webb presented the attached communication and it was referred to me for a report on the liability that the City might have with regard to legal expenses that Thomas Lemmon & Sons Ltd. may have incurred during negotiations with the City of Kingston for the acquisition of their property at 79 North Street.

Generally speaking, in a normal real estate transaction, each side to the transaction bears its own legal expenses, unless there is a requirement to the contrary in the Agreement of Purchase and Sale.

If the property of Thomas Lemmon & Sons Ltd. had been purchased by the City, the City might have included in the purchase price 10% over and above the appraised value. This 10% has been added to avoid the necessity to expropriate and is intended to cover some of the expenses of the Vendor, including his legal costs.

If the matter had proceeded to expropriation, The Ontario Expropriations Act provides, in Section 33, that in awarding compensation the Land Compensation Board may make an order directing the statutory authority to pay all the reasonable legal, appraisal and other costs to the owner for the purpose of determining compensation. The Ontario Expropriations Act is, however, silent, and does not require the statutory authority to pay the legal costs of the owner at any time prior to the hearing by the Land Compensation Board, including the earlier Board of Enquiry hearing required under The Ontario Expropriations Act.

In this particular case, the landowner, of his own volition, chose to be represented in discussions with the City by a solicitor. These discussions have now been terminated and no acquisition of the property is to take place. If acquisition had taken place, there

.../2

Mr. R.J. Hamilton,
Chief Administrative Officer

August 14, 1980

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might have been compensation for the legal expenses in the 10% policy that the City has, or later, at expropriation. However, since this matter has not progressed to either of these stages, that is land acquisition or expropriation, it would appear to me that there is no legal obligation on the City to pay the legal expenses incurred by the landowner, Thomas Lemmon & Sons Ltd. If City Council felt that the landowner was harassed, as suggested by the Alderman, it could consider making an ex gratia grant to the landowner, but such action is not legally required.

N Jackson
Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

July 18, 1980.

MEMORANDUM TO: Mrs. M. Houghton,
Acting City Clerk,
Pro Tempore.

Re: Land Acquisition - NIP -
Thomas Lemmon & Sons Ltd., 79 North St.

Thank you for sending me a copy of the memo presented at Council by Ald. George Webb. Ministry of Housing officials advise that such an expenditure is not eligible for funding under the NIP Program and would have to be borne entirely by the City.

Yours very truly,

G. G. Muirhead

GGM/mm

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

Schedule "G" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

August 19, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: GRANT - Throid Eye Research Fund

We recently received a request from the Thyroid Eye Research Fund addressed to the members of council which has been referred to my office for comment.

Council will recall that we have, on occasion, given grants to various worthwhile organizations, the last one being a grant of $800.00 to the Ongwanada Hospital for a fund raising night. This represented the rental of the arena which was covered by way of a grant.

Also, in 1979, we provided a number of grants to other municipal governments that experienced serious flooding etc. It is extremely difficult to separate worthwhile projects that may help the citizens of our community and in this regard I would recommend that Council seriously consider the granting of $300.00 for this funding with a view that this is a once in a life time grant and should not be interpreted as being a continuing item in future.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "H" to Report No. 70
(Page 1)

JUL 10 1980

DEVAN ENTERPRISES INC.

Please reply to:
8 KING STREET EAST
SUITE ~~1214~~ 910
TORONTO, ONTARIO
M5C 1B5
ELEPHONE 416/366-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-3039

7th July 1980.

INVOICE

re: Professional Services

Total hours	16¼ x 75	$	1218.75
L.D.C.			10.43
Mileage - 500km @ 18¢ per k			90.00
Out of Pocket			7.45
Long Distance			10.43
Total Due			1337.06

Mr. R.J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston

Invoice # 65

Schedule "H" to Report No. 70
(Page 2)

AUG 12 [illegible]

DEVAN ENTERPRISES INC.

8 KING STREET EAST
SUITE XXX 910
TORONTO, ONTARIO
M5C 1B5
TELEPHONE 416/860-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-3039

INVOICE

August 8, 1980

Re Professional Services

Hours 2.25 x 75	$168.75
Expenses	
Telephone	24.59
Total Due	$193.34

Mr. R.J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston, Ontario

Invoice #75

Schedule "H" to Report No. 70
(Page 3)

DEVAN ENTERPRISES INC.

8 KING STREET EAST
SUITE ~~12X1~~ 910
TORONTO, ONTARIO
M5C 1B5
TELEPHONE 416/866-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-3039

August 5, 1980

Mr. Robert Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario

Dear Mr. Hamilton:

Attached please find my account for the month of June.

The following is a brief explanation of my activities:

June 3 - Telephone conference with yourself and Community Renewal Branch etc.

June 6 - Visit to Kingston - conference with yourself and Community Renewal Branch - various individuals with the City of Kingston

June 9 - Telephone conference with yourself and Community Renewal Branch and Larry Smith & Associates

June 10 - Telephone conversations with yourself and Community renewal Branch

June 16 - Telephone conversation with yourself and Community Renewal Branch

June 17 - Telephone conversation with yourself, Mayor Keyes, Community Renewal Branch, Larry Smith & Associates etc.

June 19 - Telephone conversation with yourself, Community Renewal Branch

June 25 - Telephone conversation with yourself, Community Renewal Branch, forwarding of information to the Community Renewal Branch

June 25 - Telephone conversation with yourself reviewing the tax information for Mr. Cousins - report to the Community Renewal Branch

June 26 - Telephone conversation with yourself and Community Renewal Branch

June 27 - Conference with yourself

I trust everything is to your satisfaction

Yours very truly

DEVAN ENTERPRISES INC

J.P. van Haastrecht

Schedule "I" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-3.1

August 20, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: CURRENT BUDGETS - DOWNTOWN DEVELOPMENT

Members of Council will recall that when we established our Budget for 1980, we included an amount of $500,000. as (Capital Out of Revenue), to be used for the Downtown Development project we were contemplating at that time.

In addition, we had proposed further amounts in 1981 and 1982 of $200,000. for a total of $900,000. We had also set up, in our Capital Budget, an amount of $1,100,000. in 1980 with a suggestion that the years of 1981 and 1982 also contained further amounts for a total of $2,800,000. for the three year period. This represented our anticipated share under the Downtown Redevelopment program in order to obtain the Provincial Government funding of $7.3 Million.

A number of the members of Council were enquiring how best this matter could be handled, resulting from the announcement by Chartwood Development to not go ahead with our project at this time.

We have reviewed the principals that Council adopted in setting our Capital Budget and we set these out below for Council's general consideration:

(1) Set up the "Cash Out of Revenue" for the C.B.D. as follows:

Year	Amount
1980	$500,000.
1981	200,000.
1982	200,000.

(2) Commence paying $200,000. or 10% of Capital Works in 1983 and add $200,000. each year up to 1991 in order to eliminate future capital borrowings after 1991.

(3) Put a ceiling on all future capital spending of up to $2,000,000. for each year up to 1991.

(4) City Council must establish the projects that are to be included as priority items in each year up to the level of $2,000,000.

(5) In 1980, the C.B.D. Capital Budget of $1,100,000. will leave an amount of $900,000. for all other city capital works.

(6) Council should be aware that our debt charges after 1991 will start to drop quite drastically and will be eliminated in a very few years afterward.

The amount of $500,000. referred to above, less any expenses incurred, at this time, which are primarily those paid to our Consultant, should be placed in a Special Reserve Fund called "Reserve for Downtown Redevelopment" at this time.

This method would provide necessary funds in future when City Council decide on an alternative project for Downtown Redevelopment. We do not think that Council should use these funds as a general revenue at this time. If, in the future, these monies are not totally used for this particular purpose, we could prepare a necessary report to provide for various alternatives to Council in the handling of these amounts.

Once again, we should be vitally concerned in retaining financial strength for the City of Kingston and based on the principals adopted by Council, during our Capital Budget, all matters of this kind should be used in future to provide the strength to retain a viable commercial enterprise.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "J" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 20th, 1980

SUBJECT: Reconstruction of concrete sidewalk (1.5 m. wide) in Ontario Street east side from Johnson Street southerly 85.34 m.

ORIGIN: Public Works Department

ANALYSIS: A sufficiently signed petition for the subject work has been received. The existing walk is in a deteriorated condition.

EXISTING POLICY: Walk reconstruction in commercial areas is carried out under the Local Improvement Act.

FINANCIAL: A transfer of debenture allotment will be necessary.

RECOMMENDATION: That since a sufficiently signed petition has been received a by-law be passed to authorize the reconstruction of the concrete sidewalk in Ontario Street east side from Johnson Street southerly 85.34 m. under Section 7 of the Local Improvement Act.

Costs are:

Total estimated cost....	$4,900.00
Owner's share..........	$2,187.38
City's share,..........	$2,712.62
Debenture amount,.......	$4,900.00

and that the following transfers in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement Walks- Ontario Street	$4,900.00	
Local Improvement Storm - Misc.		$4,900.00

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "K" to Report No. 70
(Page 1)

MEMORANDUM

To: Mr. R.J. Hamilton, Chief Administrative Officer

From: Mr. D. Graham, Commissioner of Works

Date: August 20, 1980

Subject: Reconstruction of asphalt pavement in Ontario Street from Johnson Street to William Street

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ORIGIN Public Works Department

ANALYSIS A sufficiently signed petition for the above described work has been received. The pavement is in a deteriorated condition. The P.U.C. have scheduled utility installations prior to road reconstruction.

EXISTING POLICY Road reconstruction in commercial areas is carried out under the Local Improvement Act.

FINANCIAL The 1980 Capital Budget includes $25,000.00 for this project. A transfer of debenture allotment will be necessary.

RECOMMENDATION That since a fully signed petition has been received a by-law be passed to authorize the reconstruction of the Asphalt pavement in Ontario Street from William Street to Johnson Street under Section 7 of the Local Improvement Act.

Costs Are

Total estimated cost	$57,000.00
Owner's share	$ 4,543.56
M.T.C. subsidy	$21,578.00
City share	$30,878.44
Debenture amount	$35,422.00

and that the following transfers in the 1980 Capital Budget be approved.

Project	Increase	Decrease
Local Improvement Roads - Ontario St.	$10,422.00	
Local Improvement Storm - Ontario St.		$4,000.00
Local Improvement Storm - Misc.		$6,422.00

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "L" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 20th, 1980

SUBJECT: Construction of curb, gutter and boulevard in Ontario Street, east side, from Johnson Street southerly 88.39 m.

ORIGIN: Public Works Department

ANALYSIS: A sufficiently signed petition for the subject work has been received.

EXISTING POLICY: Construction and reconstruction in commercial areas is carried out under provisions of the Local Improvement Act.

FINANCIAL: A transfer of debenture allotment will be necessary.

RECOMMENDATION: That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of curb, gutter and boulevard in Ontario Street, east side, from Johnson Street southerly 88.39 m under section 7 of the Local Improvement Act.

Costs are:

Total estimated cost..........	$3,000.00
Owner's share................	$ 555.85
M.T.C. subsidy...............	$1,222.00
City's share.................	$1,222.15
Debenture amount.............	$1,778.00

and that the following transfer in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement Road - Ontario Street	$1,778.00	
Local Improvement Storm - Misc.		$1,778.00

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "M" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 20-5.3

August 21, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: RESOLUTION - TENANTS OF KINGSTON HOUSING AUTHORITY ON MUNICIPAL WELFARE ASSISTANCE

We are forwarding herewith information requested by Council, in particular Alderman Miller, to consider the resolution as set out on the attached.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "M" to Report No. 70
(Page 2)

AUG 21 1980

memorandum

Department of Social Services
City of Kingston

TO: Mr. R. J. Hamilton
C.A.O.

DATE: August 20th, 1980

FROM: Mr. S. H. Routbard
Administrator

SUBJECT: RESOLUTION - RE: TENANTS OF KINGSTON HOUSING AUTHORITY ON MUNICIPAL WELFARE ASSISTANCE

The following data is in response to information requested by Alderman Miller.

(a) As of August 20th, 1980, there were 105 cases on our rolls with 275 dependants, occupying premises operated by the Housing Authority.

(b) The monthly gross cost of Public Assistance for the above is presently $42,913.00 per month. The net Municipal cost at 20% being $8,582.00.

These figures as to residents and financial assistance may vary from month to month depending on persons moving in or out or transferring to Provincial Allowances.

Schedule "N" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

To: Mr. R.J. Hamilton, Chief Administrative Officer

From: Mr. D. Graham, Commissioner of Works

Date: 20 August 1980

SUBJECT Cobblestones

ORIGIN Council requested a report on the cost of restoring the visible portions of cobblestones now in existence.

ANALYSIS There have been areas repaired in asphalt in the four remaining streets. In addition there is likely to be some loss of stone in the repair process through deterioration. It is assumed in providing the cost information that the repairs will be made from salvaged cobblestones (without purchasing cobblestones). The following table provides information as to areas.

Street	Present Cobblestone Area (gross) sq. ft.	Reconstructed Area sq. ft.
Clarence St.	5600	3900
Johnson St.	3300	2300
Brock St.	4570	3200
Pine St.	1700	1100

FINANCIAL The cost to salvage cobblestones and repair patched sections to produce a cobblestone road for the reconstructed lengths shown is as follows:

Street	Length (ft)	Cost
Clarence St.	70	$13,600.00
Johnson St.	70	$ 8,000.00
Brock St.	70	$11,200.00
Pine St.	33	$ 3,900.00

DG

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "O" to Report No. 70
(Page 1)

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 19th, 1980

SUBJECT: Asphalt Pavement - Clarence Street: Ontario Street easterly

ORIGIN: Public Works Department

ANALYSIS: Council has directed that no work commence on this project until a decision has been made on the treatment of the cobblestones. This decision should be made and work commenced for the following reasons:

1. People that have purchased condominium units and are living in them must use Clarence Street for vehicle access. It is in very poor condition.
2. The Developer has petitioned for an asphalt pavement. A by-law was initiated and has been approved by Council and the O.M.B.
3. The work is under contract and the Contractor has completed all the other work in the contract except this project and the adjoining project on Ontario Street: Johnson to Clarence. The Contractor would like to complete the work as soon as possible as costs continue to increase.
4. The contract includes an escalation clause covering liquid asphalt. The longer the placing of asphalt is delayed, the greater the cost to the citizens.
5. The number of tourists will drop sharply after Labour Day and construction will not be the problem it would be now.
6. The end of the construction season is approaching.

Some factors to consider in making a decision on the disposition of the cobblestones are:

a. Laying of cobblestones is labourious and costly which is one explanation why they are a "thing of the past" which in turn explains the interest in preservation.

b. The contract provides for the salvaging and transporting the cobblestones to the City Yard for storage for future use.

c. The construction by-law describes the work as an asphalt pavement. A change to use cobblestones would require the approval of the owners and the O.M.B.

d. If the cobblestones on Clarence Street were repaired or re-layed, longitudinally the cobblestones would be about 21 m. Some contract re-negotiation would be involved.

....../2

Schedule "O" to Report No. 70
(Page 2)

ANALYSIS: (continued)

e. Because of the grade of the walk on the north side which will remain and the grade of the entrances on the south side, as well as the steepness of the grade as it approaches Ontario Street tend to make repair of the cobblestones undesirable. In addition there would be a delay in amending the by-law.

f. Reconstructing 21 m. of cobblestones to the proposed asphalt grade would solve most of the problems in (e) above. The cost is estimated at an additional $8,000. It is unlikelythe Developer would be willing to share in this extra cost and a by-law amendment would be required.

g. Three agencies were asked for assistance. A reply has been received from Ontario Heritage Foundation advising that because of a limited budget they must restrict their grants to conservation of buildings. At the time of preparing this report there had been no reply from either the Kingston Historical Society or the Ministry of Culture.*

h. There have been two written objections from citizens to the use of cobblestones where pedestrians are to walk, because they may be hazardous.

i. There has been a proposal from the Commissioner of Parks that he would be pleased to use the cobblestones in connection with the proposed waterfront walkway development from Princess Street to Clarence Street, possibly to act as a curb along the sides.

j. The Deputy City Engineer has suggested the proposed downtown promenade on Princess Street as location to use them.

FINANCIAL: Repaving or repairing with cobblestone is several times as costly as using asphalt. It is unlikely that the developers would share in the extra cost. The request for assistance in preserving the cobblestones has not been fruitful. The M.T.C. subsidy is on a quota basis. The more quota used on high cost projects the less there will be for other projects.

RECOMMENDATION: That since there are various reasons why the project should proceed as soon as possible and since financial assistance to preserve the cobblestones has not been forthcoming on short notice, authorization be given for the presently approved work in Clarence Street from Ontario Street easterly to commence, it being understood that the cobblestones will be salvaged and transported by the Contractor to the City Yard for storage for use at a later date.

DG

D. Graham, P. Eng.
Commissioner of Works

DG:JC

* Letter received on August 21, 1980 from Ministry of Culture advising they are unable to assist as the program is in obeyance at this time. They do not know when it will be reinstated and what types of projects will be eligible for assistance.

Schedule "P" to Report No. 70
(Page 1)

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - 19 August 1980

SUBJECT - The 1980 Local Improvement Road Program

ORIGIN Public Works Department

ANALYSIS The program is based on need for construction or reconstruction. Indication from the owners that they will sign a petition is given consideration.

Proposed Local Improvement Paving Program

Street	From	To	Total Cost	Debenture Amount
Bagot	Russell	116 m. E'ly	$37,000.00	$24,500.00
Napier	Park	Scott	$26,700.00	$15,400.00
L. Union	Ontario	62 m. E'ly	$20,000.00	$20,000.00
Armadale	All		$23,500.00	$14,500.00
			$107,200.00	$74,400.00

EXISTING POLICY Priority is usually given to Local Improvement projects when a sufficiently signed petition is received.

FINANCIAL In the 1980 Capital Budget $70,000.00 was provided for the Local Improvement Program. A petition has been received and a by-law iniated for the pavement on Napier St. It is shown here to complete the picture on the proposed allocation of funds.

RECOMMENDATION That the Local Improvement program for Paving be approved, it being understood that individual by-laws will be initiated for each of the projects, either under Section 7 or Section 8 of the Local Improvement Act having a total estimated debenture amount of $74,400.00 with any necessary transfers of budget allotment included in the individual recommendations for by-laws.

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "Q" to Report No. 70
(Page 1)

AUG 21 1980

Office of the
City Solicitor
Our Ref: 80-883

MEMORANDUM

TO: R.J. Hamilton
Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: August 20, 1980

RE: 330-334 Sydenham Street

On August 25, 1975 City Council passed By-law 8532 authorizing the execution of an agreement between the City and John VanDuinen in respect of property known municipally as 330-334 Sydenham Street. This property was the subject of an application to the Committee of Adjustment of the City to permit a variance from the requirements of the then zoning By-law 3077, which was to permit an increase in the number of units from 5 to 6 in the apartment building. The agreement required site plan approval.

Canada Mortgage and Housing Corporation have now taken over the property and have asked the City whether it is satisfied that the provisions of the agreement have been completed, and whether the agreement can be released. The Planning Department has confirmed that a site plan was submitted and approved by the City and the Building Inspector has confirmed that the site plan was adhered to. The original agreement which required site plan approval and required no further subdivision of the land except an application by way of Section 29 of The Planning Act, has, in fact, been superseded by the provisions of Section 35(a) of The Planning Act.

I would therefore recommend that this agreement be released by the City and that the enclosed Quit Claim Deed be executed by the Mayor and City Clerk.

Norman C. Jackson
City Solicitor

NCJ/nr
Encl.

AUG 21 1980

Schedule "R" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: BY-LAW TO AUTHORIZE THE EXECUTION OF A CONNECTING LINK AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS FOR THE WIDENING OF PRINCESS STREET FROM 287.26 METERS EAST OF PORTSMOUTH AVENUE TO 137.75 METERS WEST OF SIR JOHN A. MACDONALD BOULEVARD, INCLUDING TRAFFIC SIGNAL IMPROVEMENT AT PRINCESS STREET AND SIR JOHN A. MACDONALD BOULEVARD

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) The Ontario Municipal Board has approved on February 15, 1980, a Construction By-Law and issuance of debentures for $140,000.00 for the widening of Princess Street.

2) M.T.C. had requested a fall tender call due to 1980 budgetary limitations in the Ministry.

3) M.T.C. has recently approved construction plans prepared by the Public Works Department.

4) Tenders will be called in September, 1980.

5) If good weather prevails this fall as last fall, it is anticipated that most of the widening will be constructed, except for top asphalt, boulevard, etc.

FINANCIAL CONSIDERATIONS:

1) A Connecting Link Agreement provides 75% subsidy for the construction of the widening, except for land and signal lights, which are eligible for 50% subsidy under Part 10 of the Act.

2) At the request of the Public Utilities Commission, the agreement and tender includes installation of a 16 inch watermain at an estimated cost of $129,151.10, entirely at the expense of the P.U.C.

RECOMMENDATION: That a by-law be authorized to execute an agreement with the Ministry of Transportation and Communications under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201; adequate funds having been provided for this project -

> Construction of Princess Street from 287.26 meters east of Portsmouth Avenue to 137.75 meters west of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement at Princess Street and Sir John A. Macdonald Boulevard;

. . . . /2

Schedule "R" to Report No. 70
(Page 2)

SUBJECT: BY-LAW TO AUTHORIZE THE EXECUTION OF A CONNECTING LINK AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS FOR THE WIDENING OF PRINCESS STREET FROM 287.26 METERS EAST OF PORTSMOUTH AVENUE TO 137.75 METERS WEST OF SIR JOHN A. MACDONALD BOULEVARD, INCLUDING TRAFFIC SIGNAL IMPROVEMENT AT PRINCESS STREET AND SIR JOHN A. MACDONALD BOULEVARD continued

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RECOMMENDATION:

TOTAL ESTIMATED COST	$530,716.11
CITY'S SHARE	$112,016.25
P.U.C. SHARE	$129,151.10
M.T.C. SHARE	$289,548.76

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "S" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: PARKING CONTROL - WEST SIDE OF MACDONNELL STREET, PRINCESS STREET TO SOUTH BARTLETT STREET

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) Existing parking regulations:

West side - Parking Prohibited
10-11 a.m. and 2-3 p.m.;

East side - No Parking Anytime.

2) The Gorsline Parking Lot with 150 parking spaces is located on the west side of Macdonnell Street and has surplus capacity.

3) The Gorsline Parking Lot has two accesses to Macdonnell Street, and existing parking on the west side of Macdonnell Street restricts visibility for motorists egressing from the parking lot.

4) Alderman Hawkins has advised that property owners on the east side of Macdonnell Street have no objections to the proposed parking restrictions.

EXISTING POLICY:

a) Street parking abutting municipal parking lots be prohibited, unless insufficient parking available on parking lot.

b) The Gorsline Parking Lot has surplus capacity to accommodate the few cars parking on the street.

RECOMMENDATION: That a by-law be presented to Council to amend By-Law No. 24, (Traffic) to provide that parking be prohibited on the west side of Macdonnell Street between Princess Street and South Bartlett Street.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "T" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: PAVING OF BOULEVARD ON EAST SIDE OF DIVISION STREET AT 893 DIVISION STREET

ORIGIN: Property owner of 893 Division Street

ANALYSIS:

1) The boulevard is located between the curb and the sidewalk and is immediately north of the BP Service Station at Elliot Avenue.

2) The boulevard is narrow and difficult to maintain, partly due to the encroachment of egressing vehicles from the adjacent service station.

3) The owner of the adjacent property, the BP Service Station, has offered to pave his neighbour's boulevard at BP's expense.

4) It is preferable to have the narrow boulevard paved instead of the existing mud.

EXISTING POLICY:

a) Section 27 of By-Law 10 (Streets) prohibits any person digging up boulevards.

b) Exemptions have been occasionally granted where a narrow grass boulevard is difficult to maintain.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, 'A By-Law Respecting Streets', permission be granted to Mr. Ernest Muller to pave the narrow strip of City boulevard between the curb and the sidewalk (approximately 3 feet by 25 feet) in front of 893 Division Street, on the condition that this asphalt area not be used for parking of vehicles.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "U" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 18-1.1

August 21, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: ARTS AND SCIENCE UNDERGRADUATE SOCIETY - "MARDI GRAS"

We recently received correspondence from the Arts and Sicience Undergraduate Society of Queen's University, requesting Council's permission to hold a "Mardi Gras" on Thursday, September 11th from 7:00 P.M. to 11:30 P.M. Also on Sunday, September 14th, 1980, there is to be a picnic held in Macdonald Park.

This group would like to request Council's permission for exemption from the "Noise By-Law" and also to close Queen's Crescent on September 11th from 7:00 P.M. to 11:30 P.M.

We forwarded this letter to Mr. Linseman, Chief Rice, Chief Cowdy and Mr. Fluhrer who have all indicated their approval.

We would therefore recommend that Council grant permission as they have requested.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "U" to Report No. 70
(Page 2)

THE ARTS & SCIENCE UNDERGRADUATE
SOCIETY OF QUEEN'S UNIVERSITY

020 JOHN DEUTSCH UNIVERSITY CENTRE
QUEEN'S UNIVERSITY
KINGSTON, ONTARIO
K7L 3N6
(613) 547-3069

August 18, 1980.

Mr. Ken Keyes,
Mayor, City of Kingston,
City Hall,
KINGSTON, Ontario.

Dear Mayor Keyes:

In conjunction with the Arts and Science Undergraduate Society of Queen's University, the Orientation Committee is once again planning a Mardi Gras on Thursday, September 11, 1980, from the hours of 7:00 p.m. to 11:30 p.m. The proceeds from the Mardi Gras will once again be donated to charity. In regards to this, we would like to ask Council for exemption from the Noise Bylaw for this time period, and also for permission to close Queen's Crescent for this event.

Mardi Gras will end with a fireworks display overlooking the lake, and the Kingston community is invited to participate in both the actual Mardi Gras and to enjoy the fireworks.

On Sunday, September 14, 1980, we are planning a picnic in Macdonald Park. Various performers with non-amplified instruments will be featured, and once again the Kingston community is invited to come and enjoy a quiet afternoon with the students. We are also issuing a challenge at this time for a game of softball between Council and various members of the Orientation Committees at Queen's.

I will be present at the meeting at which these matters come up before Council, and will be happy to answer any further questions if necessary.

Sincerely,

(Miss) T-Jay Upper,
Communications,
ASUS Orientation '80.

COMMITTEE OF THE WHOLE (Cont'd)

MOTIONS

(Which were referred to the Committee of the Whole on August 11, 1980)

(1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That, as the Cataraqui, Frontenac and St. Lawrence Ratepayer's Association, when given permission to use Memorial Hall for a public meeting on May 30, 1980, were not informed that security charges at $6.00 per hour would be charged, such charges be waived for this occasion.

(2) Moved by Ald. Clements,
Seconded by Ald. Bishop,

That the Mayor be instructed to set up a committee to examine the financial benefits and disadvantages of annexation of the Township of Kingston or parts thereof, and the Township of Pittsburgh or parts thereof; this committee to be composed of two aldermen, the Chief Administrative Officer, the Director of Planning and two members of the Kingston community, and that this committee report back to council by November 30, 1980.

* * *

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the congratulations of council be extended to the Rev. Lois Wilson on having been elected as Moderator of the United Church of Canada.

NOTICES OF MOTION

BYLAWS

(A) That By-Laws 1 to 10 be given their First & Second Readings.

(B) That Rule 34 of By-Law No. 1 be suspended for the purpose of giving By-Law 9 its Third Reading.

(C) That By-Laws 9 to 13 be given their Third Reading.

* * *

(1) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation and Use of the Parks and Recreation Facilities of The Corporation of the City of Kingston" to provide that Admission Prices to the Kingston Pump House Steam Museum be Waived on one or two days to be determined in August or September 1980 for the Promotion of "Kingston Museum Day".

FIRST & SECOND READINGS PROPOSED NO. 80-180
Clause 11, Report No. 66, 1980

(2) A By-Law to Authorize the Construction of a Concrete Sidewalk, 1.5 m wide, on the West Side of Napier Street from Scott Street to Dunlop Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-181
Clause 4, Report No. 70, 1980

(3) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the East Side of Ontario Street from Johnson Street southerly 85.34 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-182
Clause 14, Report No. 70, 1980

(4) A By-Law to Authorize the Reconstruction of the Asphalt Pavement in Ontario Street from William Street to Johnson Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS . PROPOSED NO. 80-183
Clause 15, Report No. 70, 1980

(5) A By-Law to Authorize the Construction of Curb, Gutter and Boulevard on the East Side of Ontario Street from Johnson Street Southerly 88.39 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-184
Clause 16, Report No. 70, 1980

(6) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 23, Report No. 70).

THIRD READING PROPOSED NO. 185
Clause 23, Report No. 70, 1980

BYLAWS (Cont'd)

(7) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Amend Section 27(a) to Permit Pavement of Boulevard at 893 Division Street).

FIRST & SECOND READINGS PROPOSED NO. 80-186
Clause 24, Report No. 70, 1980

(8) A By-Law to Temporarily Close Queen's Crescent from University Avenue to Albert Street on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-187
Clause 25(B), Report No. 70, 1980

(9) A By-Law to Authorize the execution of a proposal and estimate of cost pursuant to an agreement with Her Majesty the Queen, In Right of the Province of Ontario, as represented by the Minister of Transportation and Communications, entered into under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201.

THREE READINGS PROPOSED NO. 80-188
Clause 22, Report No. 70, 1980

(Note: Connecting Link - Princess Street Widening from 287.26 m East of Portsmouth Avenue to 137.75 m West of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement).

(10) A By-Law to Confirm the Proceedings of Council at its Meeting held on August 25, 1980.

THREE READINGS PROPOSED NO. 80-189
City Council Meeting No. 41, 1980

(11) A By-Law to Amend By-Law No. 9066, "A By-Law to Authorize the Construction of Certain Concrete Sidewalks under the Provisions of Section 7 of The Local Improvement Act (Petition)" (Delete Concession Street, South Side, 5 Feet East of Alfred Street Easterly 76.2 feet).

THIRD READING PROPOSED NO. 80-49
Clause 11, Report No. 23, 1980

(12) A By-Law to Temporarily Close Certain Streets on Sunday, September 14, 1980 from 10:00 a.m. to 12:00 noon for Community Purposes.

THIRD READING PROPOSED NO. 80-176
Clause 26, Report No. 64, 1980

(13) A By-Law to Temporarily Close Patrick Street from Balaclava Street to Quebec Street on Monday, September 1, 1980 from 6:00 a.m. to 3:00 p.m. for Community Purposes.

THIRD READING PROPOSED NO. 80-178
Clause 15, Report No. 66, 1980

UNFINISHED BUSINESS

ADJOURNMENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
SEP 17 1980

CITY COUNCIL MEETING NO. 41

The Regular Meeting of City Council was held on Monday, August 25, 1980, commencing with an Open Session at 7:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:12 p.m. His Worship Acting Mayor Ald. Gerretsen presided from 7:00 p.m. to 8:00 p.m. His Worship Mayor Keyes presided from 8:12 p.m.

(Loyalist Room)

ROLL CALL

Acting Mayor Ald. Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller (arrived at 7:11 p.m.), Ald. Tarnowecky (arrived at 7:09 p.m.), Ald. Timmins, Ald. Webb (14)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer;
Mr. D. Fluhrer, Commissioner of Parks & Recreation;
Mr. M.C. Healy, City Clerk.

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider the following item which was formerly Clause 1 of Report No. 64:

> That the matter of the City's contribution to the Lemoine Point Conservation Area Project be considered.

(Note (A): A report of the City's contribution for the years 1976-1980 is attached hereto as Page 1 of Schedule "A";

(B): See Report of the Chief Administrative Officer and the Commissioner of Parks and Recreation attached hereto as Pages 2 to 10 of Schedule "A".

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

(Council Chamber)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

COMMITTEE OF THE WHOLE (Cont'd)

ADMINISTRATIVE STAFF PRESENT

Mr. R.J. Hamilton, Chief Administrative Officer;
Mr. D. Fluhrer, Commissioner of Parks & Recreation;
Mr. D. Graham, Commissioner of Works;
Mr. M.C. Healy, City Clerk;
Mr. J.D. Smith, Administrator, Rideaucrest;
Mr. N. Jackson, City Solicitor.
Mr. K. Linseman, Traffic, Streets & Parking Administrator (arrived at 10:30 p.m.)

REPORT OF THE COMMITTEE OF THE WHOLE

The Chairman reported that the following motions were considered in the Committee of the Whole:

(1) Moved by Ald. Bishop,
Seconded by Ald. Lampropoulos,

That Council recommend to the 1981 council the allocation of $14,000. as the City's contribution to the Lemoine Point Conservation Area Project for "Maintenance" purposes in the year 1981.

CARRIED AS AMENDED 11:4
Ald. Webb opposed
(See following motions)

(2) Moved by Ald. Timmins,
Seconded by Ald. McArthur,

That Motion (1) of Ald. Bishop and Ald. Lampropoulos reading as follows:

> *"That council approve the allocation of $14,000. as the City's contribution to the Lemoine Point Conservation Area project for "Maintenance" purposes in the years 1981 and 1982"*

be amended to read as follows:

> *"That council approve the allocation of $14,000. as the City's contribution to the Lemoine Point Conservation Area project for "Maintenance" purposes in the year 1981 and to have the 1982 allotment reviewed by council early in 1981, subject to receiving further legal advice from the City Solicitor."*

LOST 4:11

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Lampropoulos,

That Motion (1) of Ald. Bishop and Ald. Lampropoulos be amended by deleting therefrom the word "approve" and substitute therefore the words "recommend to the 1981 council" and to delete the words "in the years 1981 and 1982" and substitute therefore the words "in the year 1981".

CARRIED 11:4
Ald. Webb opposed

* * *

Schedule "A"
(Page 1)

BREAKDOWN OF CONTRIBUTIONS TO LEMOINE POINT CONSERVATION AREA PROJECT - 1976-1980

Total Acquisition Costs	$1,010,000.
Province of Ontario	656,500.
Township of Kingston	252,505.
City of Kingston	100,995.
Total Development Costs	280,237.
City of Kingston's Share	31,490
Total Maintenance Costs	56,712.
City of Kingston's Share	14,178.
Total City Share for Development and Maintenance	45,668.

Schedule "A"
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-2.1

August 21, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: LEMOINES POINT

We are forwarding a report from Mr. D. Fluhrer dealing with this matter for attention of City Council.

The requested funding for Lemoine's Point is set out below.

Year	Amount
1980 - approved by Council.	$13,750.
1981 - suggested	23,420.
1982 - suggested	27,620.

We would suggest that City Council accept the report of Mr. Fluhrer setting out his four recommendations.

The level of maintenance costs for 1980, contributed by the City of Kingston, was set at $13,750.00.

We should continue to support this project at a level of $13,750. for each of the next two years (1981 and 1982).

Development funding for other city parks will be the subject of discussion when our 1981 Capital and Current Budgets are considered by City Council.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "A"
(Page 3)

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DATE: August 21, 1980

SUBJECT: LEMOINES POINT

ANALYSIS: As requested by Council, I submit the following report, giving my feelings regarding the City's financial support for development of Lemoine's Point.

(i) The Townships, Municipality of Kingston, and the Province, acted wisely in acquiring this land when it was for sale, thus keeping it for public purposes and ensuring access to and along this great water's edge by the public.

(ii) At the present time I question the need for further development, and also suggest that the present master plan, presented in 1978, might be reviewed - (see attached conceptual plans).

(iii) The City has need for development funds to improve facilities for the public's use at Belles Island and Lake Ontario Park. Belles Island is, without any doubt, a beautiful, heavily treed island with tremendous potential for public enjoyment, but it must be serviced before its potential can begin to be realized - i.e. some form of sewage control for toilets, washrooms, change rooms, etc., electric, service roads, and public parking areas, and most important, the development of safe and desirable swimming facilities. While the Island should retain most of its present natural state, the services mentioned must be developed if our public is going to get the full benefit of its potential. Also, the ever-increasing density in the north-east side of Kingston demands we begin this work now.

RECOMMENDATIONS: 1. The City should continue to pay its share of maintenance costs for Lemoines Point.

.../2

Schedule "A"
(Page 4)

RECOMMENDATIONS: (continued)

2. Development funding should be directed within the City, to develop parks already acquired, needed, but requiring improvement (i.e. Belles Island and Lake Ontario Park).

3. Consideration could be given to suggesting that Lemoines Point might better be under the jurisdiction of The St. Lawrence Parks System, as it is in their geographical region and conceivably fits their mandate, more so than that of the Conservation Authority.

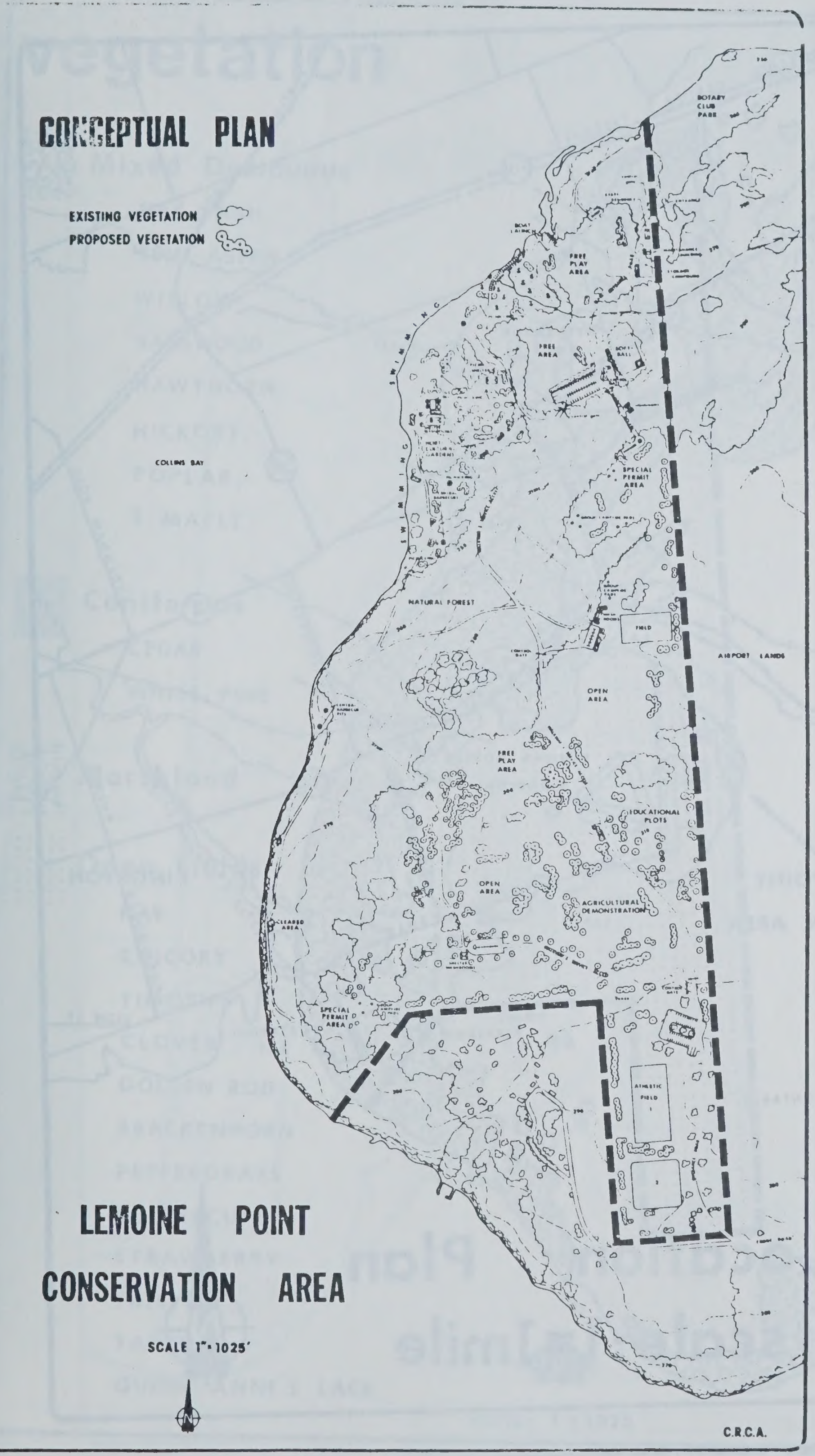
4. The present conceptual plan for development does not allow for vehicles to travel along the vast water's edge and, in fact, attempts to keep cars well back. Consideration of a connecting shore road from the present Front Road to Bath Road, would provide a beautiful drive, and with proper design, would not detract from the park theme intent, but rather enhance it as the public would have better and easier access. (Example - the drive along Bath Road from Collins Bay to Picton, and all the parks, beaches, etc. along the way).

Doug R. Fluhrer

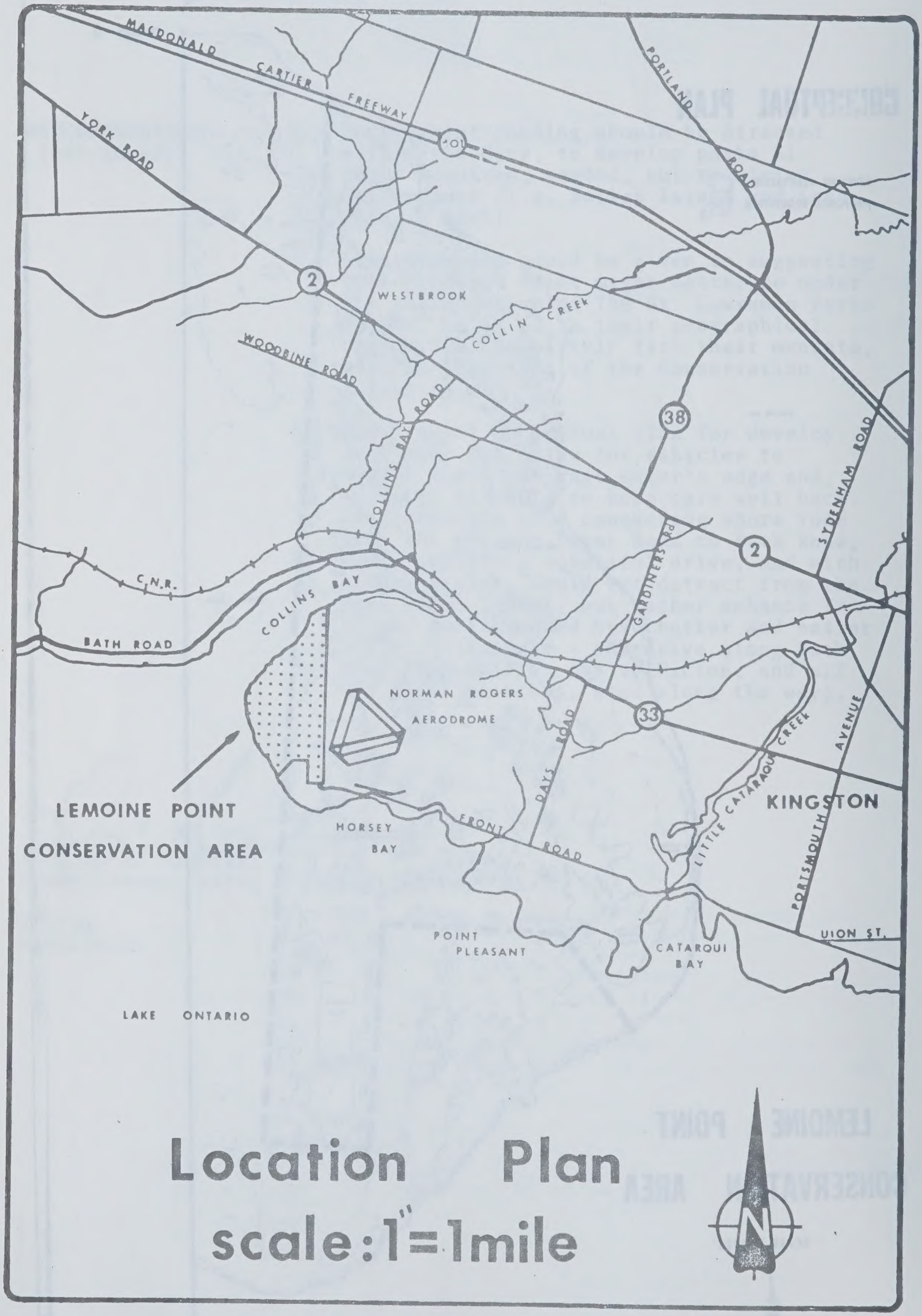
Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.

DRF/dg
attachment.

Schedule "A"
(Page 5)

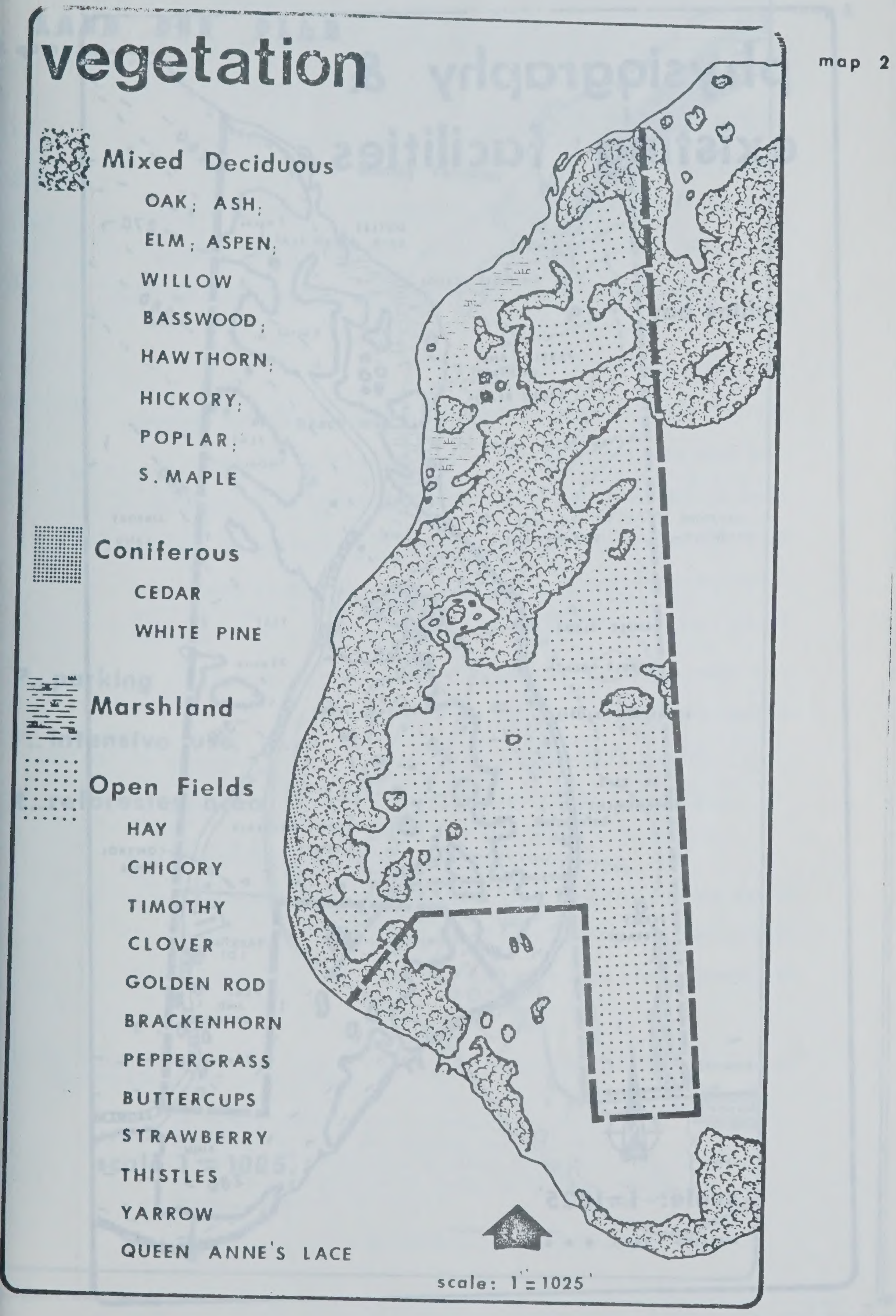

map 6
CONCEPTUAL PLAN
EXISTING VEGETATION
PROPOSED VEGETATION
COLLINS BAY
ROTARY CLUB PARK
BOAT LAUNCH
FREE PLAY AREA
SWIMMING
FREE AREA
SPECIAL PERMIT AREA
NATURAL FOREST
FIELD
AIRPORT LANDS
OPEN AREA
FREE PLAY AREA
EDUCATIONAL PLOTS
OPEN AREA
AGRICULTURAL DEMONSTRATION
CLEARED AREA
SPECIAL PERMIT AREA
ATHLETIC FIELD
LEMOINE POINT
CONSERVATION AREA
SCALE 1"=1025'
N
C.R.C.A.

Schedule "A"
(Page 6)

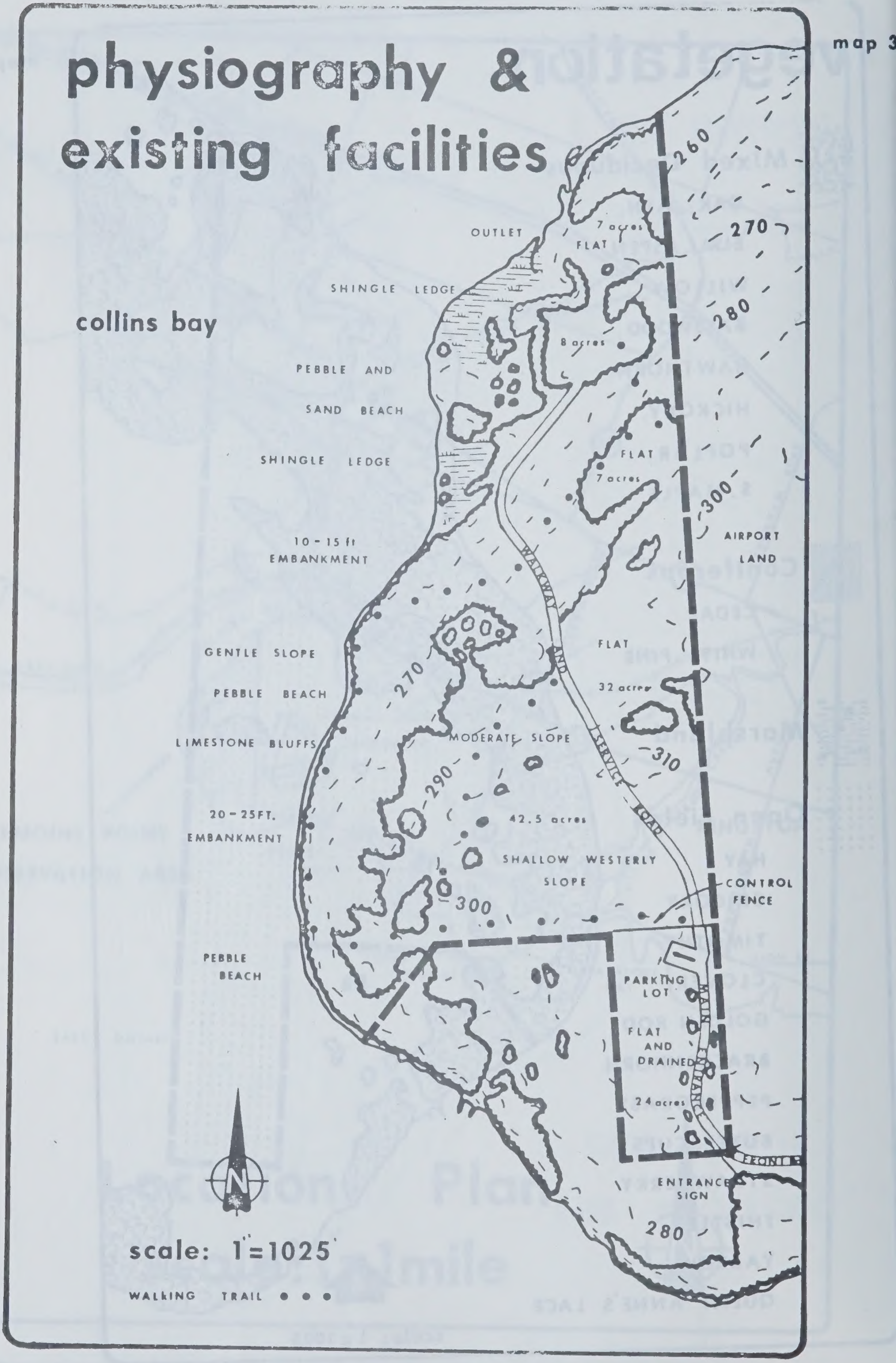

MACDONALD CARTIER FREEWAY
401
PORTLAND ROAD
YORK ROAD
2
WESTBROOK
COLLIN CREEK
WOODBINE ROAD
38
COLLINS BAY ROAD
SYDENHAM ROAD
GARDINERS RD
2
C.N.R.
COLLINS BAY
BATH ROAD
NORMAN ROGERS
AERODROME
33
DAYS ROAD
LITTLE CATARAQUI CREEK
AVENUE
KINGSTON
LEMOINE POINT
CONSERVATION AREA
HORSEY BAY
FRONT ROAD
PORTSMOUTH
UION ST.
POINT PLEASANT
CATARQUI BAY
LAKE ONTARIO
N

Location Plan
scale: 1" = 1mile

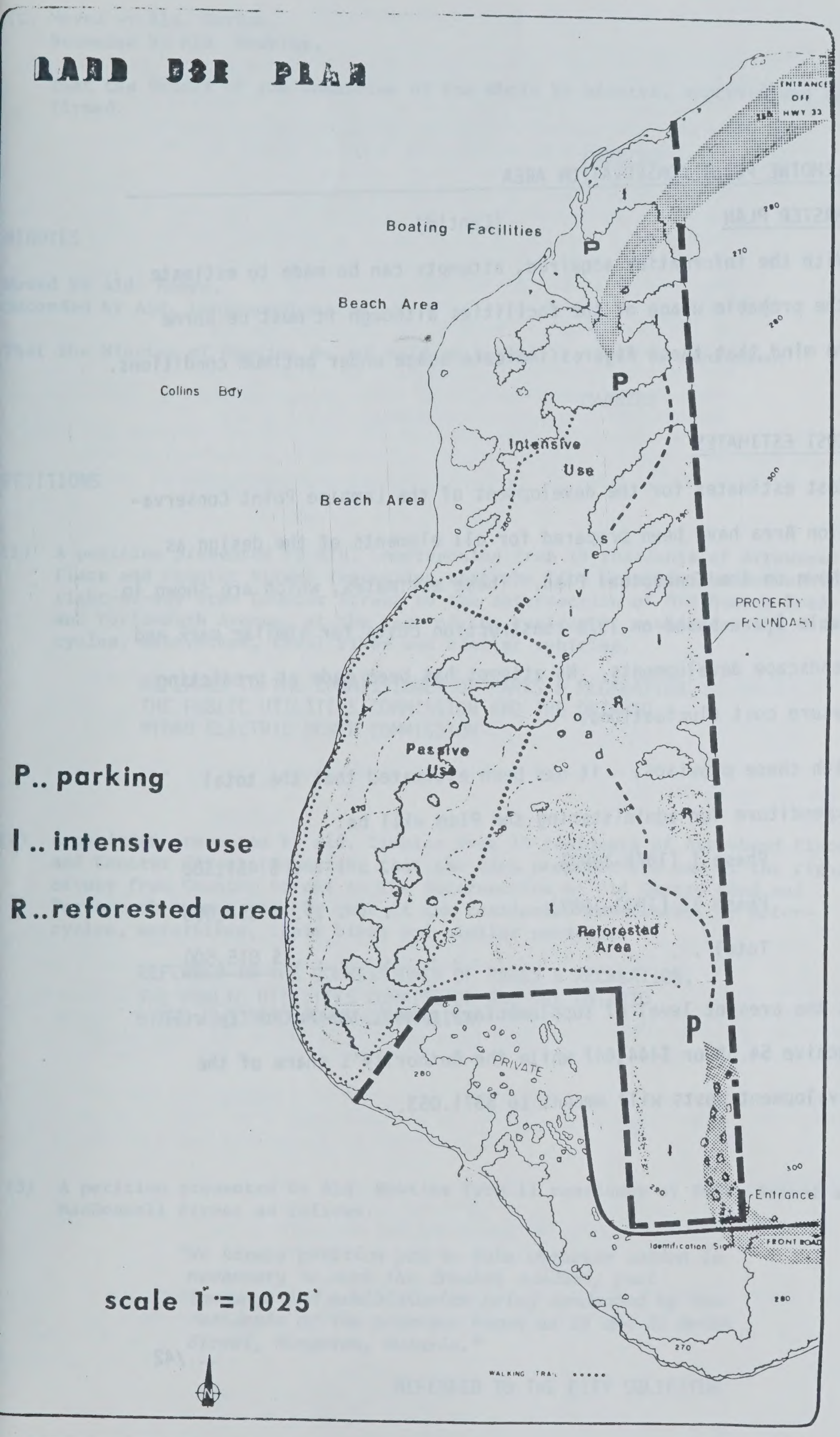
Schedule "A"
(Page 7)


vegetation
map 2
Mixed Deciduous
OAK; ASH;
ELM; ASPEN;
WILLOW
BASSWOOD;
HAWTHORN;
HICKORY;
POPLAR;
S. MAPLE
Coniferous
CEDAR
WHITE PINE
Marshland
Open Fields
HAY
CHICORY
TIMOTHY
CLOVER
GOLDEN ROD
BRACKENHORN
PEPPERGRASS
BUTTERCUPS
STRAWBERRY
THISTLES
YARROW
QUEEN ANNE'S LACE
scale: 1" = 1025'

Schedule "A"
(Page 8)


map 3
physiography & existing facilities
collins bay
OUTLET
7 acres
FLAT
SHINGLE LEDGE
8 acres
PEBBLE AND SAND BEACH
SHINGLE LEDGE
FLAT
7 acres
10 - 15 ft EMBANKMENT
WALKWAY
AIRPORT LAND
GENTLE SLOPE
FLAT
32 acres
PEBBLE BEACH
LIMESTONE BLUFFS
MODERATE SLOPE
AND SERVICE ROAD
20 - 25FT. EMBANKMENT
42.5 acres
SHALLOW WESTERLY SLOPE
CONTROL FENCE
PEBBLE BEACH
PARKING LOT
MAIN
FLAT AND DRAINED
24 acres
ENTRANCE
FRONT R
ENTRANCE SIGN
260
270
280
290
300
310
280
N
scale: 1"=1025'
WALKING TRAIL ● ● ●

Schedule "A"
(Page 9)


LAND USE PLAN
map 5
ENTRANCE OFF HWY 33
33A
280
270
280
Boating Facilities
P
Beach Area
P
Collins Bay
Intensive Use
300
Beach Area
Service Road
280
PROPERTY BOUNDARY
I
-280
R
Passive Use
R
270
310
P.. parking
I.. intensive use
R.. reforested area
I
Reforested Area
P
PRIVATE
280
I
300
290
Entrance
Identification Sign
FRONT ROAD
280
270
scale 1" = 1025'
WALKING TRAIL • • • • •
N

Schedule "A"
(Page 10)

LEMOINE POINT CONSERVATION AREA

MASTER PLAN (Cont'd)

With the information acquired, attempts can be made to estimate the probable usage of the facilities although it must be borne in mind that these figures indicate usage under optimum conditions.

13. COST ESTIMATES

Cost estimates for the development of the Lemoine Point Conservation Area have been prepared for all elements of the design as shown on the Conceptual Plan. These estimates, which are shown in Table 2, are based on 1978 construction costs for similar park and landscape developments. No attempt has been made at predicting future cost fluctuations.

With these provisos, it has been estimated that the total expenditure for administering the Plan will be:

Phase I (1978-1982)	$ 461,500
Phase II (1983-1987)	$ 354,000
Total	$ 815,500

At the present level of supplementary grant, the Authority will receive 54.5% or $444,447 while the Authority's share of the development costs will amount to $371.053.

.../42

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MINUTES

Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That the Minutes of Meeting No. 40 held on August 11, 1980 be confirmed.

CARRIED

PETITIONS

(1) A petition presented by Ald. Lampropoulos from 19 residents of Arrowhead Place and Counter Street requesting that the City prohibit the use of the right-of-way from Counter Street to the intersection of Old Quarry Road and Portsmouth Avenue, at the rear of the residents' residences, by motorcycles, motorbikes, trail bikes and similar vehicles.

REFERRED TO THE COMMISSIONER OF PARKS & RECREATION, THE PUBLIC UTILITIES COMMISSION AND THE ONTARIO HYDRO ELECTRIC POWER COMMISSION

(2) A petition presented by Ald. Timmins from 19 residents of Arrowhead Place and Counter Street requesting that the City prohibit the use of the right-of-way from Counter Street to the intersection of Old Quarry Road and Portsmouth Avenue, at the rear of the residents' residences, by motorcycles, motorbikes, trail bikes and similar vehicles.

REFERRED TO THE COMMISSIONER OF PARKS & RECREATION, THE PUBLIC UTILITIES COMMISSION AND THE ONTARIO HYDRO ELECTRIC POWER COMMISSION

(3) A petition presented by Ald. Hawkins from 11 residents of Smith Street and MacDonnell Street as follows:

> *"We hereby petition you to take whatever action is necessary to curb the drunken conduct, fowl language and exhibitionism being conducted by the residents of the premises known as 18 and 22 Smith Street, Kingston, Ontario."*

REFERRED TO THE CITY SOLICITOR

PETITIONS (Cont'd)

(4) A petition presented by Ald. Gorham containing 152 signatures of the residents of Barrie Street and Colborne Street area as follows:

> *"We the undersigned, residents of the neighbourhood of Barrie and Colborne Streets, wish to state the urgent need of a TRAFFIC LIGHT at this junction. Police records are filled with reports of bad accidents on this corner. An ambulance has just carted away victims of a bad smash on this day of writing (April 17, 1980). The four and five year old attenders of the Day Care Centre at Division and Queen must cross here from classes at Central School. There is NO crosswalk marked out. There is NO school traffic person. Safety markings are proving inadequate. We urgently request prompt investigation of these facts and the implementation of stricter controls and a light in the immediate future."*

REFERRED TO THE TRAFFIC, STREETS & PARKING ADMINISTRATOR

TABLING OF DOCUMENTS

(1) From the Ministry of the Solicitor General forwarding a copy of the "Fire Marshalls Quarterly News".

TABLED

(2) From Ontario Hydro forwarding their document entitled "Environmental Assessment Summary for Eastern Ontario Plan Stage Environmental Assessment" which deals with Ontario Hydro's proposed program for improving the bulk power transmission system in eastern Ontario.

TABLED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 567 to 569.

COMMUNICATIONS

Which has been Referred to the Director of Planning & Urban Renewal and to the Housing Information Officer

(549) From the office of the Clerk of the Legislative Assembly advising the City of Kingston that the Standing Committee on Administration of Justice will meet to review the operation of the Ontario Housing Corporation and local housing authorities, commencing on Tuesday, September 2, 1980.

Comments on the subject matter of review should be directed to Mr. A. Smirle Forsyth, Clerk of the Committee, Room 1502, Whitney Block, Queen's Park, Toronto.

File No. 8-3.9

Filed

(550) Statement of Revenue and Expenditures for the month of June 1980 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1980 Budget Estimates	1980 to date	Month of June 1980	1979 to date
Operating Deficit:	$882,585.	$469,793.	$96,027.	$392,625.
Debentures:	27,545.	13,773.	2,295.	13,823.
Total Deficits:	$910,130.	$483,566.	$98,322.	$406,448.

File No. 17-11.2

Referred to the Planning Board

(551) From the Ministry of Housing forwarding five copies of the Assisted Housing Survey for the City of Kingston, as requested by the City of Kingston in January 1980, analyzing the need for senior citizen and family housing based on the Local Housing Authority waiting list. The report identifies no need for senior citizen units and thirteen to seventeen family units to August 1981.

The Ministry advises that council should now pass a resolution adopting these targets as a supplement to the city's Municipal Housing Statement and that the resolution be forwarded to:

The Corporate Secretary
Ministry of Housing
101 Bloor Street West, 14th Floor
Toronto, Ontario, M5S 1P8

In addition, the Ministry states that these targets should provide a basis for completion of the city's Annual Housing Review.

File No. 8-3.9

COMMUNICATIONS (Cont'd)

Which has been Referred to the Chief of Police

(552) Information regarding a conference organized by a Steering Committee of representatives of provincial and municipal governments with the assistance of the Group Planners and sponsored by the Government of Ontario and Association of Municipalities of Ontario.

The theme of the Conference is "Emergency Preparedness for the Eighties". Sessions will deal with practical issues facing those involved in emergency planning in government and industry.

The conference will be held at the Harbour Castle Hilton in downtown Toronto from Sunday, November 16th to Wednesday November 19th, 1980.

Further inquiries are to be made to:

Pam Graham
The Group Planners
112 St. Clair Avenue West
Suite 303
Toronto, Ontario M4V 2Y3

File No. 5-4

Filed

(553) From the Ministry of Housing advising that Amendment No. 31 to the Official Plan for the Township of Kingston Planning Area (south side of Bath Road, west of Frontenac Secondary School) has been approved.

File No. 16-1.2-1

(554) From the Ontario Association of Children's Aid Societies advising that the Association has appointed Dr. P.W. Rogers, 376 Albert Street, Kingston, to the Review Committee.

The Association also advises that of August 1, 1980 their new address is 2323 Yonge Street, Suite 505, Toronto, Ontario.

File No. 3-4

(555) From Public Works Canada inviting offers for the purchase of Building No. 44, Single Wood Frame Garage, approximately 21.46 m^2 (231 sq. ft.), located at McNaughton Barracks, Canadian Forces Base Kingston (for removal and restoration of site).

Offers must be received by Public Works Canada, 4900 Yonge Street, Willowdale, Ontario, not later than:

15:00 hours on August 28, 1980

For appointment to inspect the building, the following person may be contacted

Property Records Manager
Engineer's Office, Building No. H-36
Canadian Forces Base Kingston

File No. 17-12.1

COMMUNICATIONS (Cont'd)

Filed

(556) From the Ministry of Revenue on the matter of payment of municipal and school taxes by senior citizens.

A program of tax grants for senior citizens came into effect July 1, 1980 which provides new grants to Ontario residents aged 65 or older.

The Property Tax Grant of up to $500 per household is based on property tax or rent. Old Age Security (OAS) recipients will receive their Property Tax Grant application forms by the end of August 1980. Also, a $50 Sales Tax Grant will be mailed automatically to OAS recipients at the end of September 1980.

The Ministry has forwarded pamphlets which provide an overview of the program. A more detailed booklet and a poster will be sent to the City as soon as they are available.

File No. 21-3.2-2

(557) From the Hon. Keith Norton thanking the City of Kingston for a copy of a letter to the Town of Durham concerning the resolution on Majority of Elected Representatives - Town of Durham Ontario Police Commission, which the City of Kingston endorsed (Clause 3, Report No. 64, 1980).

File No. 19-7

(558) From the Ministry of Treasury and Economics forwarding a copy of the first quarter update on the performance of the 1980 Ontario Budget. It provides a revised outlook for the remainder of the fiscal year, along with a comparison of the first three months' performance for this fiscal year with the same period in 1979-80.

File No. 17-9

Referred to the Ontario Municipal Board after September 2, 1980

(559) Letter of objection from Kingston Plate & Window Glass to proposed By-law No. 80-164, "A By-Law to Authorize the Reconstruction of the Concrete Sidewalk (2.0 m wide) in Princess Street, North Side from Victoria Street Easterly 57.60 m, Under the Provisions of Section 8 of The Local Improvement Act.

File No. 16-2

COMMUNICATIONS (Cont'd)

Filed

(560) From the Liquor Licence Board of Ontario advising that application has been made to the Board by Garieri Enterprises Inc. Ontario Inc. for the issue of a liquor licence (dining lounge) at the Noodles Restaurant, 427-429 Princess Street, Kingston.

When the application has been scheduled for a public hearing, council will be provided with a copy of the Board's letter to the applicant setting out the date, time and place of the hearing.

File No. 12-6

(561) From Mr. J.E. Taylor, Clerk-Administrator, Court House, Kingston, advising that the County of Frontenac, together with the City of Kingston, have appointed Mrs. Lin Good, 212 Fairway Hill Crescent, Kingston, to be a member of the proposed Review Committee, re, 1980 estimate of expenditure of the Children's Aid Society of the City of Kingston and County of Frontenac.

File No. 3-4

(562) From Mr. B.G. Cousens, City Treasurer, advising that there will be a general meeting with representatives of the Ontario Municipal Employees Retirement Board on Thursday, September 18, 1980 commencing at 2:00 p.m. in Memorial Hall.

The purpose of this general meeting is to provide the member and employer representatives with an opportunity to meet the members of the Board and to discuss with them, the staff and advisers, any aspect of OMERS that is of interest.

It is suggested that the City of Kingston send five representatives and each of the local boards participating with the City send two representatives to the meeting. It is also suggested that each union local, employee association or group of non-union employees send two representatives.

File No. 17-3.2

(563 From Miss Flora MacDonald, M.P. commenting on the City of Kingston's resolution concerning the income tax provision that allows for a tax deduction, by the developer, when a building is demolished (Clause 2, Report No. 49, 1980).

It is Miss MacDonald's feeling that this particular provision is far too general if it actually encourages developers to demolish old buildings, regardless of their historic and cultural value. She has put forward a proposal to the Hon. Allan MacEachen, Finance Minister, that the tax deduction only apply to buildings that are not considered of historic value, and she has also suggested that the Departments of Finance and Revenue Canada work very closely with local heritage associations for the purposes of administering such a proposal.

As soon as Miss MacDonald is in receipt of Mr. MacEachen's comments she will inform the City.

File No. 2-4.1

COMMUNICATIONS (Cont'd)

Referred to the Planning Board

(564) From Fraser & Beatty, Solicitors for Dominion Stores Limited (who operate two supermarkets in the City of Kingston, one at 33 Barrack Street and one at 445 Princess Street) objecting, on behalf of their client, to Application No. 1979-Z-195 Ivanhoe Incorporated, Application for Rezoning Property on the North Side of Concession Street West of Macdonnell Street.

Fraser & Beatty request that the City of Kingston refuse to approve the proposed zoning amendment for the following reasons:

(1) The City and the Ontario Municipal Board have just recently approved an application by Campeau Corporation for a centre at Division Street and Weller Avenue which will include a food store facility.

(2) The City is also, at present, pursuing a downtown revitalization project.

(3) Both of Dominion's existing stores are within close proximity to the proposed downtown re-development area.

(4) If the Ivanhoe Incorporated application is approved, even without the approval of the downtown re-development, the viability of Dominion Stores existing operations, especially the Princess Street operation, will be seriously affected.

Fraser & Beatty require that notice of any meetings of the City with respect to this application be sent to them and that they be given an opportunity to make presentation to any such meetings regarding their client's concerns and objections.

(Note: Copies were distributed to all members of council)

File No. 25-2.4-25

Filed

(565) From Ms Lynn Haver, Secretary-Treasurer, C.U.P.E. Local 141, registering a very strong protest at the failure of the City of Kingston to fulfil its contractual obligations with regard to the grievance procedure and the terms of the Collective Agreement.

The Grievance Committee was recently expanded to try and solve the problem of the non-attendance of aldermen at the grievance committee meetings. Several times in the past, meetings have had to be abandoned and rescheduled because aldermen failed to appear and there was no quorum. Such was the case again on August 21st, when there was not a sufficient quorum for a meeting of the Committee.

Local 141 wishes to point out that such disregard for the provisions of a collective agreement places a most unfair and unwarranted burden on employees who have waited many weeks, and in some cases months, for their grievances to be heard.

(Note: Copy of letter has been distributed to all members of Council)

File No. 5-3.6

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

(566) From Helen Wooldridge, Managing Editor, Merritt Publishing Company Ltd., further to her delegation before council on August 11, 1980, submitting revised Proposal to council for help and support to publish the book, "Andre Bieler: An Artist's Life and Times" and detailing the total costs of the project at $8,925.00.

(Note: Copy distributed to the members of Council)

(567) From the Arts & Science Undergraduates Society of Queen's University extending an invitation to members of council, the press and various other dignitaries from the Kingston Community to attend a news conference to be held on Thursday, September 4, 1980 at 1:00 p.m. in the Polson Room of the John Deutsch University Centre, Queen's.

The purpose of the conference is to briefly outline the events that will take place on Charity Day '80 to be held on Thursday, September 11th.

As in the past, Charity Day is organized by first year Arts & Science students who raise money for worthy charities through activities such as "Shinearama" and a "Peanut Sales" campaign, etc., as well as providing various community services such as visits to local hospitals and nursing homes.

(Note: Copies were distributed to all members of Council, August 25th)

File No. 18-1.1

Referred to the Commissioner of Works

(568) From the American Public Works Association forwarding a copy of their booklet entitled "Guidelines for Developing a Maintenance Management System". The guidelines contained in the booklet are intended for use by elected and appointed officials in evaluating the need for and the implementation and operation of a maintenance management system. The purpose of the publication is to inform officials about such systems so they can assess the benefits they provide.

File No. 1-5.3

Filed

(569) From the Ministry of Housing advising that approval has been granted to permit development of general commercial uses for lands in the Township of Kingston on the west side of Gardiners Road (Amendment No. 25 to the Official Plan for the Township of Kingston Planning Area).

File No. 16-1.2-1

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That council resolve itself into the Committee of the Whole to hear delegations, receive reports and to consider motions.

CARRIED

* * *

(10:55 p.m.)

Moved by Ald. Webb,
Seconded by Ald. Hawkins,

That, pursuant to Rule 16 of By-Law No. 1, consent be given to continue the meeting after 11:00 p.m. until completion of the agenda.

LOST 9:5

(Note: 2/3 vote of members present required)

Moved by Ald. Webb,
Seconded by Ald. Lampropoulos,

That the Committee of the Whole and Council do now adjourn until 7:00 p.m. on Thursday, August 28, 1980 for a special meeting of the Committee of the Whole and Council to complete the agenda.

CARRIED

Council adjourned at 10:58 p.m.

(L.S.)

(Signed) M.C. Healy
City Clerk

(Signed) Ken Keyes
Mayor

CITY COUNCIL MEETING NO. 42

Pursuant to the Motion of Adjournment at City Council Meeting No. 41 held on August 25, 1980 there was a Special Adjourned Meeting of the Committee of the Whole of Council and of Council on Thursday, August 28, 1980 at 7:06 p.m. in the Council Chamber to complete the Agenda of City Council Meeting No. 41. Acting Mayor Ald. Gerretsen presided.

ROLL CALL

Acting Mayor Ald. Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Hawkins, Ald. Knapp (arrived at 7:12 p.m.), Ald. Lampropoulos, Ald. Matthews, Ald. Miller (arrived at 7:10 p.m.), Ald. Tarnowecky (arrived at 7:11 p.m.), Ald. Timmins, Ald. Webb (13)

ADMINISTRATIVE STAFF PRESENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
SEP 17 1980

Mr. R.J. Hamilton, Chief Administrative Officer;
Mr. D. Graham, Commissioner of Works;
Mr. N. Jackson, City Solicitor;
Mr. M.C. Healy, City Clerk.

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to complete the consideration of reports and motions that were before the Committee of the Whole on August 25, 1980 and to hear delegations.

CARRIED

(B) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

Acting Mayor Ald. Gerretsen reported that the following delegations were received and Report Nos. 67, 68, 69 and 70 were considered on August 25, 1980 and three further paragraphs added to Clause 25 of Report No. 70 and the balance of the Agenda, commencing with Report No. 67 was considered on August 28, 1980 in the Committee of the Whole.

August 25, 1980

DELEGATIONS

4 (1) Sonja Nielsen, President, Sonja Nielsen Real Estate Co. Ltd., was present re: Site Plan Committee Report No. 68 (formerly Report No. 62 and Report No. 65 which were referred to later meetings).

A05
31

Mr. Walter Elleson, President, Maurice H. Rollins Construction Limited, and Mr. Arnold H. Vandermeer were also present.

DELEGATIONS (Cont'd) - August 25, 1980

(2) Mr. Maderios, Kingston Azores Soccer Club, was present re 428-A Barrie Street.

Ald. Clements withdrew at 9:30 p.m. and returned at 9:35 p.m.
Ald. Timmins withdrew at 9:35 p.m. and returned at 9:40 p.m.
Ald. Lampropoulos withdrew at 9:43 p.m. and returned at 9:50 p.m.

(3) Mr. Jerry Jackson. 17 Smith Street, was present to support a petition by residents of Smith Street.

Ald. Webb withdrew at 10:00 p.m. and returned at 10:02 p.m.
Ald. Matthews withdrew at 10:04 and returned at 10:07 p.m.

(4) Mr. Chippier, Tim Horton Donuts, was present to support a petition by residents of Smith Street.

REPORTS

Ald. Matthews presented Report No. 67 of the Rideaucrest Home Committee.

Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Report No. 67 of the Rideaucrest Home Committee be received and considered.

REPORT NO. 67

August 15, 1980

To the Mayor and Members of Council:

The Board of Management of Rideaucrest Home for the Aged reports and recommends as follows:

1. WHEREAS kitchen renovations are to be undertaken at Rideaucrest Home for the Aged; and

WHEREAS a total of $400,000 for these renovations has been included in the 1980 Capital Budget, which cost will be subsidized by the Ministry of Community and Social Services at a rate of 50%; and

REPORTS (Cont') - August 25, 1980

Report No. 67 - Rideaucrest Home Committee

1. (Cont'd)

WHEREAS the detailed budget now available indicates that the cost of the renovations will be $440,000.00, and the Ministry of Community and Social Services has indicated to the Ontario Municipal Board that it will subsidize this cost at a rate of 50% or $220,000.00; and

WHEREAS it is necessary for the City to provide additional funding of $20,000 to cover the City's share of $220,000 for this project;

THEREFORE BE IT RESOLVED that the budgeted cost of kitchen renovations at Rideaucrest Home for the Aged of $440,000, to be subsidized 50% by the Ministry of Community and Social Services, be approved;

AND BE IT FURTHER RESOLVED that the following budget transfer be approved:

	Increase	Decrease
Rideaucrest Home - Major Capital Expenditure	$20,000.	
Finance Contingencies		$20,000.

so that the allocation and provision of funds for the kitchen renovations at Rideaucrest is now:

City of Kingston:	
Cash from 1980 Current Budget	$ 20,000
Debentures to be issued	200,000
Ministry of Community & Social Services:	
Subsidy	220,000
TOTAL	$ 440,000

- and further -

That By-Law No. 80-119, 'A By-Law to Authorize Renovations at Rideaucrest Home (Kitchen)', be amended on Third reading to provide for a total cost of $440,000.00.

CARRIED

REPORTS (Cont'd) - August 25, 1980

Report No. 67 - Rideaucrest Home Committee

2. WHEREAS a study on the feasibility of renovations to the kitchen at Rideaucrest Home for the Aged was completed during 1979 by Bernard and Associates; and

WHEREAS it was subsequently agreed to renovate the kitchens at Rideaucrest Home for the Aged; and

WHEREAS additional detailed architectural work was, therefore, necessary in order to provide detailed budgeting information for such kitchen renovations; and

WHEREAS an account by Elliott Associates, Architects, was submitted in April, 1980 covering their professional services for the preparation of detailed budget estimates, in the amount of $5,000.00, for which no budget allocation was made in the 1980 budget; and

WHEREAS the completion of this work will enable the kitchen renovations to proceed;

THEREFORE BE IT RESOLVED that the account of Elliott Associates, Architects, in the amount of $5,000.00 for the preparation of detailed budget estimates for kitchen renovations at Rideaucrest Home for the Aged, be approved for payment and that the following budget transfer be approved:

	Increase	Decrease
Rideaucrest Home - Acct. #9920 - Dietary (other)	$5,000.00	
Rideaucrest Home - Acct. #9915 Raw Food Costs		$5,000.00

(Note: Account and detailed explanation are attached hereto as Schedule 'A' - 2 pages. Please note that this account is not included in the agreed 10% architects fees for the later work on the kitchen renovation project).

CARRIED 10:5

REPORTS (Cont'd) - August 25, 1980

Report No. 67 - Rideaucrest Home Committee

3. WHEREAS Council has approved renovations to the kitchen at Rideaucrest Home for the Aged; and

WHEREAS the Rideaucrest Board of Management has had discussions with the Ministry of Community and Social Services and with the architects regarding the procedures for the renovation project, and has been advised that the system of project management is desirable for this project; and

WHEREAS investigations have been made as to firms which could carry out this work;

THEREFORE BE IT RESOLVED that E & M Developers be employed to supervise the renovations to the kitchen at Rideaucrest Home for the Aged, at an agreed-upon cost of $21,000, on condition that no additional costs will be approved unless authorized by the City; and further, that the Mayor and City Clerk be authorized to execute the necessary agreement.

(Note: A letter from E & M Developments, and information of the Construction Management concept, are attached hereto as Schedule 'B')

CARRIED

Respectfully submitted,

(Signed) *K. Matthews* (Chairman)
Neil McArthur
Bill Bishop
J. Gerretsen
A. Lampropoulos

Schedule *'A'* to Report No. *67*
(Page *1*)

Elliott Associates Architec

Mr. J. Smith
Rideaucrest Home for the Ages
362 Montreal Street,
Kingston, Ontario

ACCOUNT NO.:

INVOICE 803

JOB NO.: 80-

To:-

Professional Services rendered in connection with Rideaucrest Home - Alterations to Kitchen Facilities.

Fee Now Due..........................$5,000.00

DA/ma
c.c. Mr. N. Elliott

Partners:
Neil J. Elliott, MRAIC, FRAIA, ARIBA

Members:
Order of Architects of Quebec

275 Ontario Street,
Kingston, Ontario
K7K 2X5
Tel.: (673) 544-3432

Elliott Associates Architects

Partners:
Neil J. Elliott, MRAIC, FRAIA, ARIBA

Members:
Ontario Association of Architects

275 Ontario Street
Kingston, Ontario K7K 2X5
Tel.: (613) 544 3432

Rideaucrest Home
362 Montreal Street,
Kingston, Ontario

August 15, 1980

Attention: Mr. J. Smith

Re: Renovations to Kitchen Facilities

Dear Mr. Smith,

We wish to advise you that our Invoice #803 in the amount of $5,000.00 was for the inspections and surveys of the existing facilities at the Rideacrest home which were performed to establish an accurate budget estimate.

This invoice covers all work to date by ourselves, Elliott Associates Architects, the electrical and mechanical consulting engineers, McDougall & Friedman, and the kitchen consultants Bernard and Associates.

Yours truly,

Donald Allan

Donald Allan
DA/ma

Associates:
Donald Allan, MRAIC

Schedule 'B' to Report No. 67
(Page 1)

E&M Developers

592 Justus Drive
Kingston, Ontario K7M 4H
Phone 389-4250

Contract Managers - Project Managers

July 8, 1980

Rideaucrest Home
362 Montreal Street
Kingston, Ontario K7K 3B6

Attention: Mr. John Smith, Administrator

Dear Sir:

Re: Proposed Renovations and Additions to Rideaucrest Home, Kingston, Ontario

Further to our meeting with your Board members on July 4, 1980 regarding the above project, we are enclosing the following:

a) Brief outline of our company
b) Brief outline of construction management showing the procedure we would use.
c) Copy of the contract that we would be prepared to sign.

You will note that, in our company outline, a large part of our volume over the years has been management. We have successfully completed projects ranging in value from $60,000.00 to three and one-half million dollars, often doing several projects for the same client. At present, we are managing another project the The Empire Life Insurance Company, and completing the 2nd stage of the Restoration of St. George's Cathedral.

From our experience, we have found that three important steps lead to the successful management of a project.

1. The preparation of an accurate budget.
Using the up-to-date costs and estimating department of our Construction Company, we are capable of providing this budget.

E&M Developers

592 Justus Drive
Kingston, Ontario K7M 4H4
Phone 389-4250

Contract Managers - Project Managers

July 8, 1980 ... 2

2. *If possible, call all the tenders to close on the same date. (This would be possible on this project.)*
   Using this method, the total cost of the project can be established and adjustments made, if necessary, before any contracts are awarded.

3. *Accurate records and bookkeeping.*
   We use an in-house computer (L9000 Burroughs) which is programmed to handle the various steps, including progress payments, purchase orders, monthly printouts, etc..

We trust that the enclosures and the foregoing information will be of assistance to you in your decision and that we may be of service to you on the project.

Should we be asked to carry out the management on this project, our fee based on our discussions, the sketches received from you and a site visit would be the sum of $23,000.00.

Yours very truly,

E&M DEVELOPERS

E. A. Mitchell

EAM:dlb

encls.

CONSTRUCTION MANAGEMENT

The Manager, in liason with the Owner, Architect and Administration Staff will be required to provide the services hereafter detailed and should by himself or by his employees have the necessary experience and skills to adequately prosecute the work within the scheduled time. He should possess knowledge of reliable building trades in the area and should be sufficiently versed in construction costs to advise the Owner in cost reduction methods and procedures in the sub-trades.

The Manager will participate in and accomplish the following:

(a) Working with the Team, including Architects and Engineers to ensure the successful completion of the project within the budget and to the Architect's plans and specifications.

(b) Establishing the True Project Budget within which all work is to be acheived. To do this he must examine the Architect's and Owner's uprise Preliminary Budget and, through meetings with the Architect and Team, determine the fraction of the budget for each trade. At the end, he must satisfy the Owner that the work to be done can be done for the True Project Budget.

(c) Establishing the drawings and outline (or full) specification needs for each trade "package" that he intends to call. This he will do with the Architects who will provide him with these tender documents in the number of copies he deems necessary.

(d) Calling of sub-trade tenders, each of whom becomes "Contractors"

CONSTRUCTION MANAGEMENT

- 2 -

(e) Determining the portion in the scope of the whole work that he knows cannot be successfully tendered, but must be achieved within a budget increment by either his own forces; Manpower assistance; an appointed carpenter-contractor or by other means. Such work sometimes includes shoring; hoarding; protections; nailers or strapping; blocking; or other items of work need to facilitate trade package work.

(f) Opening of tenders received with the Architect and Owner, and assisting in the assessment of these. Working with the low bidder to discover means of bringing that segment of work in line with its budget increment (should it exceed same). Re-tendering, if necessary, following review of any given tender package with the Architect.

(g) Establishing the project construction schedule, to be approved by the Owner. Keeping track of all progress trade by trade; checking of Contractors' progress invoices; keeping records of direct expenses, materials expenditures (if connected with (e) above; keeping a log of job decisions by the consultants and of job discoveries; preparation of monthly progress applications for each trade contractor so that, following Architects'/Engineers' verification, these may be submitted to the Owner for direct payment to each contractor. The monthly invoices will require a summary sheet showing the name of each Contractor; percentage of work complete; additions or deductions to each contract by approved change order; cumulative retention of holback until final certification by the Architect.

(h) Keeping of all "as built" changes in the work on his jobsite set of drawings. These to be turned over to the Architect.

(i) Receiving and assessing of requests for additions or deletions to the work of any trade and the relaying of apparently bona fide requests to the Architect for Revision Notice issuance.

CONSTRUCTION MANAGEMENT

- 3 -

(j) Obtaining quotations for all Revision Notices and submission of same in duplicate to Architect.

(k) Authorizing only changes in the work for credit or extra that are on an Architects' change order approved and signed by the Owner. (Exception would be extra work ordered by the Architect by a job site order, used for emergencies or to save the Owner undue extra cost caused by delay.) Incorporating all approved changes on the monthly summary.

(l) Keeping of a job site office and place for job meetings that is lockable. This can be in the building.

(i) Provide on site construction superintendent to co-ordinate the on site work if required.

Note: Item (l) will not be part of the Construction Manager's fee. This will be part of the construction cost and included in the construction budget.

(m) Co-ordinate the work of all trades to ensure no confliction with other trades.

(n) See that all safety requirements are followed including hard hats, safety boots, etc. to the approval of the safety inspector

(o) Undertake to ensure that all deficiencies or defects in the work are completed and corrected.

(p) Writing of job site meeting minutes and distribution of same.

(q) Obtaining, recording and distributing of shop drawings from the trades or their suppliers, to the Architect and Engineers. Receiving of shop drawings returned as reviewed (or needing revision) and re-distributing these to their source, always keeping a file of reviewed shop drawings needed for correct distribution in regard to each trade.

Schedule 'B' to Report No. 67
(Page 6)

CONSTRUCTION MANAGEMENT

- 4 -

(q) Cont'd

Normal copies are: (1) Job Site Office
(1) Architect
(1) Engineer - if engineering is involved
(1) Owner
(2) Trade Submitting

(r) Checking by job site measurement of all dimensions, grades, lines and levels whenever this is necessary to ensure work is correctly done.

REPORTS (Cont'd) - August 25, 198

Report No. 68 - Site Plan Control Committee

Ald. Bishop presented Report No. 68 of the Site Plan Control Committee

Moved by Ald. Bishop,
Seconded by Ald. Clements,

That Report No. 68 of the Site Plan Control Committee be received and considere

REPORT NO. 68

(Formerly Report No. 62, Meeting No. 38, 1980, which was withdrawn, and referred to Meeting No. 38, as Report No. 65, which was tabled until August 25, 1980)

August 25, 1980

To the Mayor and Aldermen:

The Site Plan Control Committee reports and recommends as follows:

1. WHEREAS on June 27, 1980, the Site Plan Control Committee approved of a number of amendments to the approved plan for a 62 unit apartment building on Block 'B' (Marina City), west side of Ontario Street between Gore and Earl Streets; and

   WHEREAS the City Solicitor is of the opinion that the agreement for this site should also be amended with respect to the commencement of construction date; and

   WHEREAS the owner has requested an extension to July 31, 1981;

   THEREFORE BE IT RESOLVED that Council consider amending Section 19 of the agreement between the City, 361029 Ontario Limited and Urbanetics Limited, to provide that commencement of construction shall take place on or before July 31, 1981.

   (See Schedule 'A' attached hereto - 2 pages)

CARRIED 13:2
(See Recorded Vote)

Ald. Webb requested a recorded vote on Clause 1 which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (13)

NAYS: Ald. Knapp, Ald. Miller (2)

Respectfully submitted,

(Signed) *Bill Bishop* (Chairman)
John Clements
J. Hawkins

Schedule "A" to Report No. 68
(Page 1)

Office of the
City Solicitor
Our Ref: D-73

MEMORANDUM

TO: George Muirhead
Planning Department

FROM: Norman C. Jackson
City Solicitor

RE: Block B, Marina City, 361029 Ontario Limited

DATE: July 4th, 1980

I have received a memorandum from Mr. Morris and have prepared the amending agreement requested and sent it to the landowner for execution. I would, however, like to point out that in my view another amendment may be necessary in that Section 19 of the agreement signed between the landowner and the City dated December 18, 1978 requires the company to apply for a building permit on or before November 1st, 1978 and the company further agreed to commence construction within sixty days of the approval of its plans. I believe plans were submitted and although some changes were required by the Chief Building Official, construction did not take place within the required time. There was a similar problem with Block C and City Council agreed to amend the date for commencement of construction. It would seem to me that a similar amendment is required in this situation either by the Site Plan Committee, Control Committee or City Council. You may recall that the clause in question points out that the City has an option if the landowner did not comply with the requirements of this paragraph to declare the amending agreement of 1978 null and void and return to the original plans or to declare the 1978 agreement to be valid and binding.

I would therefore request that you process this matter as soon as possible. I would also ask you to check with the Chief Building Official to confirm my belief that construction did not commence within 60 days of the approval of the plans.

NCJ/nr

Norman C. Jackson
City Solicitor

Schedule "A" to Report No. 68
(Page 2)

361029 Ontario Limited
c/o 11 Victoria Avenue
Belleville, Ontario
K8N 1Z6

July 17, 1980

City of Kingston
City Hall
216 Ontario Street
KINGSTON, Ontario
K7L 2Z3

ATTENTION: Mr. R. W. Morris,
Deputy Planning Officer

Dear Sir:

RE: Marina City - Block "B"

As per our discussions, we hereby request that the Committee consider amending the Site Plan Development Agreement for the above noted property and approve extending it for at least one year, until July 31, 1981.

Yours truly,

361029 ONTARIO LIMITED

Arnold H. Vandermeer, P. Eng.

REPORTS (Cont'd) - August 25, 1980

Report No. 69 - Public Access Committee

Ald. McArthur withdrew at 10:40 p.m.

Moved by Ald. Miller,
Seconded by Ald. Gerretsen,

That Report No. 69 of the Public Access Committee be received and considered.

REPORT NO. 69

August 25, 1980.

To the Mayor and Aldermen:

The Committee on Public Access to Information reports and recommends that the following policies be adopted:

A. MEETINGS

1. Meetings of Council and Committees of Council, including Committee-of-the-Whole, shall be open to the public, subject to section 2 herein.

2. The following subjects may be discussed at Committee meetings held *in camera*, if agreed to by a majority of committee members present:

   a) Personnel matters, where a named employee or prospective employee is involved, or where employee relations or reputations could be damaged, unless the individual or individuals involved have requested that the matter be discussed in a meeting open to the public;

   b) Negotiations on salaries or working conditions of employees;

   c) Property matters in which premature public disclosure could cost the public money or be prejudicial to the interests of a property owner or the City, when the acquisition or sale of property is being investigated or negotiated;

   d) Matters in which public discussion could prejudice the City's legal position or be detrimental to the City in proceedings before any Court or administrative tribunal;

   e) Consideration of Awards of Merit (for example, by the Honourable Achievement Awards Committee); and

   f) Matters that are specifically restricted by legislation regarding the protection of privacy.

REPORTS (Cont'd) - August 25, 1980

Report No. 69 - Public Access Committee

3. No person other than Council members and invited persons shall attend *in camera* meetings.

4. A "meeting of a committee of Council" shall be defined as a majority of committee members, the meeting convening after due notice has been given in accordance with By-Law No. 1, to make decisions and/or recommendations on any matter.

5. Meetings of Committees of Council may be held *in camera*, preferably prior to a regularly scheduled meeting, when an item or items described in section 2 herein warrants such *in camera* meetings.

6. Insofar as possible, *in camera* meetings shall commence at an hour appropriate to finish in time for open Council meetings at 8 p.m., and shall be immediately terminated after items on the agenda have been considered.

7. The Committee-of-the-Whole *In Camera* agenda must be adopted by motion at the commencement of each meeting. Items can be added or deleted by amendment.

8. Except where Committee-of-the-Whole members present agree by a majority vote that a matter requires urgent and immediate action, final decisions of *in camera* Committee-of-the-Whole meetings will be reported at the next following regular Council meeting, and will be included in the Council agenda as a report from the Committee-of-the-Whole.

9. That section 1 (Proceedings of Council) of By-Law No. 1, 'A By-Law to Regulate Council Proceedings', be amended to provide that meetings of Council be held at 8 p.m., except where delegations request to be heard in a location other than televised Council Chambers. Delegations shall be advised that they may make presentation either in televised Council Chambers or prior to the televised meeting in another location.

B. ACCESS TO DOCUMENTS

1. In accordance with Section 216 of *The Municipal Act*, any "records, books, accounts and documents in the possession or under the control of the Clerk" may be inspected by members of the public.

2. Minutes of *in camera* meetings and reports presented to *in camera* meetings shall be available to the public when final decision is made by Council, unless otherwise prohibited by law.

3. Upon reasonable notice, any person shall be permitted, during City Hall working hours, to inspect any records, plans, books, accounts, documents, correspondence and reports which have been reported or distributed to Council, or a committee of Council, unless such documents must remain confidential by law.

REPORTS (Cont'd) - August 25, 1980

Report No. 69 - Public Access Committee

B. ACCESS TO DOCUMENTS (Cont'd)

4. Final consultants' reports shall be made available to the public as soon as they have been distributed to Council members and staff. Reports should be distributed as soon as practicable.

5. Documents, reports and plans relevant to an issue being discussed at a public meeting shall be made available for viewing before and at such public meeting. This includes copies of the Official Plan and Zoning By-Laws, planning staff reports and plans to be presented at such public meeting.

6. Upon request and payment of a rate fixed by Council, the Clerk shall furnish within a reasonable time copies (certified if required) of any of the foregoing records, except if prohibited by law. There shall be no charge made to members of Council or other City officials.

7. Building plans may be viewed by the public after an application is made for a building permit, site plan control approval, rezoning, or Official Plan change. Preliminary plans submitted to the City for comment prior to an official application shall be made public at the discretion of the Chief Administrative Officer or by a decision of Council.

C. MEDIA AND PUBLIC RELATIONS

1. Complete Council Minutes and Agendas, including schedules and reports to Council, shall be available to the media and the public.

2. When dealing with the media and the public, City employees are encouraged to provide information within their realm of responsibility. Employees are urged to differentiate between their own personal opinions and City policy. Prior approval of the Chief Administrative Officer is not required.

3. No member of staff, Council or Council committee shall make any public statement concerning any matter which, to his/her knowledge, has been discussed at an *in camera* meeting until the matter has been reported at an open meeting of Council or Committee of Council.

4. That it be recommended to the Clerk's Department that a simple manual be prepared for use by City staff and the public, to define concisely the responsibility of each City Department, and to indicate the name of a contact person for each department who could provide information and assistance.

(Note: Introduction from Alderman Miller, Chairman of the Committee, is attached hereto as Schedule 'A' - 1 page; Resolution of Council dated March 24, 1980, is attached as Schedule 'B' - 1 page).

TABLED
(See following motion to table)

REPORTS (Cont'd) - August 25, 1980

Report No. 69 - Public Access Committee

Moved by Ald. Gorham,
Seconded by Ald. Lampropoulos,

That Report No. 69 of the Public Access Committee be tabled until the meetin of Council on September 2, 1980.

CARRIED 10:4

Respectfully submitted,

(Signed) *Lois E. Miller* (Chairman)
J. Gerretsen
W. Knapp

Schedule 'A' to Report No. 69
(Page 1)

REPORT FROM THE COMMITTEE ON PUBLIC ACCESS TO INFORMATION

On March 24, 1980, City Council established a subcommittee to review the policies regarding "public access to information at City Hall". (Motion of March 24, 1980 is attached as Schedule 'B'). The Committee was instructed to examine three specific topics: in camera discussions, public access to documents, and staff interviews with news media. Three aldermen were appointed to the Committee: Aldermen Gerretsen, Knapp and Miller. At the Committee's first meeting, Ald. Miller was elected Chairman.

During the past five months, the Committee has undertaken a number of tasks:

- *distributed a questionnaire to nine other Ontario municipalities to learn their procedures, and studied their responses;*
- *requested and received submissions from members of Council and City department heads, including the City Solicitor, and from representatives of Kingston area media;*
- *held 10 meetings which were usually attended by members of the public and news media;*
- *studied the report "Freedom of Information in Local Government in Ontario", a background paper prepared for the Commission on Freedom of Information and Individual Privacy, established by the government of Ontario in 1977;*
- *read relevant articles from Municipal World, The Municipal Monitor and The Whig-Standard;*
- *examined current relevant policies of the City of Kingston.*

Members of the Committee agree that public knowledge of the bases for government decisions is essential to the democratic process. Citizens must know not only the effects of government decisions but also the reasons behind those decisions. Meetings must be open, and information and documents readily available, if citizens are to understand policy decisions and to judge the performance of their representatives. Realizing that many citizens depend on the media as sources of information, the Committee believes the City must do all in its power to convey accurate and complete information to the news media. We recognize, however, that in certain specific instances, public interest is best served if discussions are conducted in closed sessions and if documents remain confidential. The Committee recommendations follow from these principles.

As Chairman of the Committee, I wish to thank the Committee members, Aldermen Knapp and Gerretsen, who worked diligently on these recommendations; Lila Kitching and Lynn Haver who assisted with research and editing as well as acting as committee secretaries; Mr. Hamilton, the Aldermen and City department heads who attended our meetings and made written and/or oral presentations; the members of the public who attended meetings and often contributed useful suggestions; and the representatives of the local media who made thorough presentations to the Committee.

Ald. Lois Miller,
Chairman

Schedule *'B'* to Report No. *69*
(Page *1*)

CORPORATION OF THE

CITY OF KINGSTON

OFFICE OF THE
City Clerk

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-6

MEMORANDUM

TO: Alderman L. Miller
Alderman J. Gerretsen
Alderman W. Knapp

DATE: April 2nd, 1980

RE: Public Access to Information - Establishment of Subcommittee

This will confirm that the Council of The Corporation of the City of Kingston approved the following Motions at their regular meeting held March 24th, 1980:

> *"That Council establish a subcommittee to review the policy for public access to information at City Hall;*
>
> *That this committee develop a clear-cut policy regarding In Camera discussions;*
>
> *That this committee review the City's policies regarding access to documents;*
>
> *That this committee review the policy regarding employees being interviewed by the media;*
>
> *That the City Solicitor be asked to examine In Camera procedures and relay any recommendations he may have;*
>
> *That the City Clerk and the Chief Administrative Officer develop and recommend new procedures for meetings to ensure the formal Council meeting begins at a regularly scheduled time.*
>
> *That this Committee familiarize themselves with the recommendations contained in the study on Freedom of Information in local government so as to compose a submission in response to the study, if required."*
>
> *"That Ald. Miller, Ald. Gerretsen and Ald. Knapp be appointed to the subcommittee to review the policy for public access to information at City Hall."*

M. C. Healy,
City Clerk.

MCH:jm

c.c. Mr. R. J. Hamilton, Chief Administrative Officer.
Mr. N. C. Jackson, City Solicitor.

REPORTS (Cont'd) - August 25, 1980

Report No. 70 - Chief Administrative Officer

Council consented to receive Clause 8 in revised form and to the addition of Clause 26 for presentation to Council.

Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Report No. 70 of the Chief Administrative Officer be received and adopted.

REPORT NO. 70

August 11, 1980

To the Mayor and Members of Council:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Commissioner of Parks and Recreation and further to Clause 21, Report No. 64, the sculpture "First Ship" is hereby authorized to be located on Belle Park Drive, approximately midway between Montreal Street and Belle's Island and on the water side of the road.

(Note: A copy of the Report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 2 pages)

CARRIED 12:2
Ald. Timmins & Ald. Webb opposed

Mr. D. Fluhrer withdrew
Ald. McArthur returned at 10:47 p.m.

2. That, as recommended by Mayor Keyes and since approval for the proposal has been received from the Public Utilities Commission, Kingston General Hospital, St. Mary's of the Lake Hospital, Kingston Psychiatric Hospital and Hotel Dieu Hospital, the approval of Council is hereby given to the Arts & Science Undergraduate Society of Queen's University for a fireworks display on September 11, 1980, under the supervision of the Kingston Fire Department at the P.U.C. Water Purification Dock.

CARRIED

Ald. Tarnowecky withdrew
Ald. Gerretsen withdrew

3. That, as recommended by the Commissioner of Works, the tender of Canadian Salt Company Limited for the supply of 4,000 tonnes (more or less), at $25.40 per tonne, of course crushed rock salt for ice control purposes be accepted being the lower tender received.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "B", 2 pages).

CARRIED

REPORTS (Cont'd) - August 25, 1980

Report No. 70 - Chief Administrative Officer

4. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St. from Scott St. to Dunlop St. under Section 7 of the Local Improvement Act.

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

- and -

That the following transfer in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local improvement: Sidewalk - Napier Street	$1,300.00	-
General Rate: Sidewalk	-	$1,300.00

- and -

The Capital Budget allocation of $2,200. for Montreal Street walk be reallocated for the Napier Street walk.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "C", 1 page)

(See By-law 2 : No. 80-181)

CARRIED

5. That, as recommended by the Commissioner of Works, the tender of K. Mulrooney for the supply of 2,000 c.y. (more or less) of winter control sand at $2.64 per c.y., including screening, delivery and stockpiling, be accepted, being the lowest tender received.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "D", 2 pages)

CARRIED

REPORTS (Cont'd)

Report No. 70 - Chief Administrative Officer

Ald. Bishop declared a conflict of interest in Clause 6 because of a pecuniary interest.

6. That, since the City's offer to purchase 54 Stephen Street for the sum of $25,000.00 has been accepted, approval is hereby given to authorize the purchase of the property of Herbert Lakins and Gladys Lakins known as 54 Stephen Street for the sum of $25,000.00 on the following conditions:

   a) Acquisition date to be August 29, 1980;

   b) Date of vacant possession to be September 15, 1980; and

   c) That the Lakins be permitted to remove two aluminum storm doors, the french doors in the living room and the light fixture in the kitchen.

   (Note: Provision for this expenditure was made in the 1980 budget and there is a 50% subsidy of $12,500. from Ministry of Transportation and Communications)

CARRIED
Ald. Bishop abstained from voting

Ald. Webb declared a conflict of interest in Clause 7 as he is a Real Estate Agent.

7. That, as recommended by the Kingston and Area Real Estate Association, the resolution of the City of Cambridge requesting an amendment to the standard "Agreement of Purchase and Sale" to provide for a *Seventy-two (72) Hour Cancellation clause* therein be filed.

   (Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "E", 5 pages)

CARRIED
Ald. Webb abstained from voting

Ald. Miller and Ald. Tarnowecky returned.
Ald. Clements withdrew and returned.
Ald. Gerretsen returned.

REPORTS (Cont'd) - August 25, 1980

Report No. 70 - Chief Administrative Officer

Moved by Ald. Webb,
Seconded by Ald. Clements,

That Clause 26 be considered before Clause 8.

CARRIED

26. That, as recommended by Mayor Keyes, MONDAY, SEPTEMBER 1, 1980, be proclaimed in the City of Kingston as "Jerry Lewis Telethon Day";

- and -

That all citizens of the City of Kingston be urged to join in support of the work of the Muscular Dystrophy Association of Canada by contributing to the Jerry Lewis Telethon - so all those who wait to be set free from the burdens of neuromuscular disease may have their dream fulfilled;

- and further -

That the cost of the publication of the Proclamation in the Whig-Standard, $25.35, be charged to the budget appropriation, #3854, "Legislation - Advertising".

CARRIED

(10:55 p.m.) - August 25, 1980)

Moved by Ald. Webb,
Seconded by Ald. Hawkins,

That, pursuant to Rule 16 of By-Law No. 1, consent be given to continue the meeting after 11:00 p.m. until completion of the agenda.

LOST 9:5

(Note: 2/3 vote of members present required)

Moved by Ald. Webb,
Seconded by Ald. Lampropoulos,

That the Committee of the Whole and Council do now adjourn until 7:00 p.m. on Thursday, August 28, 1980 for a special meeting of the Committee of the Whole and Council to complete the agenda.

CARRIED

The Committee of the Whole and Council adjourned at 10:58 p.m. - August 25, 1980.

REPORT OF THE COMMITTEE OF THE WHOLE - AUGUST 28, 1980

The Committee of the Whole consented to the addition of paragraphs D, E and F of Clause 25 for presentation to the Committee of the Whole.

8(a) That the Reports of the City Solicitor and the Director of Planning and Urban Renewal, attached hereto as Pages 1, 2, and 3 of Schedule "F", on communication 509 of Ald. Webb advising:

a) That he had been contacted by Thomas Lemmon and Sons Ltd., owners of the property located at Bagot and North Streets, who claim that they have been subjected to expenses between $2,000. and $4,000. during the period of proposed acquisition of their property by N.I.P.;

b) That Thomas Lemmon & Sons had never approached the City expressing a desire to sell their property; and

c) Therefore he, Ald. Webb, felt they may have valid grounds for compensation for their incurred costs:

be considered.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "F", 3 Pages)

CARRIED
(See following motions)

(b) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the City Solicitor enter into negotiations with Thomas Lemmon & Sons Ltd., owners of the property at Bagot and North Streets in order to reach a settlement of their account with regard to the proposed acquisition of their property.

CARRIED 10:3
(See Recorded Vote)
(See following motion which was Lost)

Ald. Webb requested a recorded vote on Motion 8(b) which was as follows:

YEAS: Acting Mayor Ald. Gerretsen, Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, Ald. Timmins, Ald. Webb (10)

NAYS: Ald. Bishop, Ald. Knapp, Ald. Tarnowecky (3)

8(c) Moved by Ald. Knapp,
Seconded by Ald. Tarnowecky,

That motion 8(b) of Ald. Webb and Ald. Timmins be amended to add the following words to the motion:

> " - *and further* -
>
> *In the event the City does purchase this property, the account be deducted from the purchase price".*

LOST 1:12

Ald. Miller declared a conflict of interest in Clause 9 as she is an employee of Queen's University.

Ald. Miller withdrew.

9. That a grant of $300.00 be approved for payment to the Thyroid Eye Researc Fund, Queen's University,

- and -

That the following budget appropriation amendment be approved:

Finance	Increase	Decrease
Grants - Thyroid Eye Research Fund	$300.	-
Contingencies	-	$300.

(*Note: A copy of the Report of the Chief Administrative Officer is attache hereto as Schedule "G", 1 page)*

LOST 6:6

Ald. Miller returned.

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

10. That the accounts of Devan Enterprises Inc. in the total amount of $1,530.40 for the professional services of Mr. J.P. van Haastrecht during June and July and expenses be approved for payment.

(Note: A copy of the accounts, $1,337.06 and $193.34, together with explanation, is attached hereto as Schedule "H", 3 pages).

LOST 8:5

Ald. Webb opposed
(See following motion of amendment)

Moved by Ald. Webb,
Seconded by Ald. Knapp,

That Clause 10, Report No. 70 be amended to read:

"That Mr. van Haastrecht be requested to further clarify his accounts".

LOST 6:7

11. That the resignation of Mr. J.P. van Haastrecht, President, Devan Enterprises Inc., as Consultant for Downtown Redevelopment for the Corporation of the City of Kingston be accepted, since he has accepted a position with Campeau Corporation as their Vice-President of Commercial Development, and that the appreciation of council be extended to Mr. van Haastrecht for his role as the City's consultant.

(Note: Copy of memorandum from the Chief Administrative Officer, dated August 12, 1980 enclosing letter of resignation of Mr. van Haastrecht was distributed to all members of council on August 14, 1980).

CARRIED
(See following motion of amendment)

Moved by Ald. Webb,
Seconded by Ald. Matthews,

That Clause 11, Report No. 70, be amended by deleting the words:

"and that the appreciation of Council be extended to Mr. van Haastrecht for his role as the City's consultant".

LOST 3:10

12.(A) That the Report of the Chief Administrative Officer concerning current Budget - Downtown Redevelopment and attached hereto as Schedule "I", 2 pages, be considered.

CARRIED

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

12. (B) Moved by Ald. Clark,
Seconded by Ald. Tarnowecky,

That the balance of Account No. 3079-A, after Consultants' accounts are paid, be placed in a Special Reserve Fund for Downtown Redevelopment.

CARRIED 9:4
(See Recorded Vote)

Ald. Webb requested a recorded vote on Clause 12(B) which was as follows:

YEAS: Acting Mayor Ald. Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Miller, Ald. Tarnowecky (9)

NAYS: Ald. Gorham, Ald. Matthews, Ald. Timmins, Ald. Webb (4)

12(C) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Motion 12(B) of Ald. Clark and Ald. Tarnowecky be tabled until November 3, 1980.

LOST 4:9

12(D) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That motion 12(B) of Ald. Clark and Ald. Tarnowecky be Referred to the 1
Council for its action.

LOST 6:7

13. That Mrs. Lin Good be appointed a member of the Review Committee, representin
the County of Frontenac and the City of Kingston, to review the 1980 estimate
of expenditures of The Children's Aid Society of the City of Kingston and the County of Frontenac.

CARRIED

Ald. Webb and Ald. Timmins withdrew.

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

14. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the reconstruction of the concrete sidewalk in Ontario Street east side from Johnson Street southerly 85.34 m under Section 7 of The Local Improvement Act.

Total estimated cost	$4,900.00
Owner's share	2,187.38
City's share	2,712.62
Debenture amount	4,900.00

- and -

That the following transfers in the 1980 Capital Budget be approved in order to provide an allocation for this work:

Project	Increase	Decrease
Local Improvement Walks - Ontario Street	$4,900.00	
Local Improvement Storm - Misc.		$4,900.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "J", 1 page)

(See By-law 3 : No. 80-182)

CARRIED

15. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to council to authorize the reconstruction of the asphalt pavement in Ontario Street from William Street to Johnson Street under Section 7 of the Local Improvement Act.

Total estimated cost	$57,000.00
Owner's share	4,543.56
M.T.C. subsidy	21,578.00
City's share	30,878.44
Debenture amount	35,422.00

- and -

That the following transfers in the 1980 Capital Budget be approved in order to provide a total allocation of $35,422.00 for this work:

Project	Increase	Decrease
Local Improvement Roads - Ontario St.	$10,422.00	-
Local Improvement Storm - Ontario St.		$4,000.00
Local Improvement Storm - Misc.		6,422.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "K", 1 page)

(See By-law 4 : No. 80-183)

CARRIED

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

16. That, as recommended by the Commissioner of Works, since a sufficiently signe petition has been received, a by-law be presented to council to authorize the construction of curb, gutter and boulevard on the east side of Ontario Street from Johnson Street southerly 88.39 m under the provisions of section 7 of th Local Improvement Act.

Total estimated cost	$3,000.00
Owner's share	555.85
M.T.C. subsidy	1,222.00
City's share	1,222.15
Debenture amount	1,778.00

- and -

That the following transfer in the 1980 Capital Budget be approved in order to provide an allocation for this work:

Project	Increase	Decrease
Local Improvement Road - Ontario St.	$1,778.00	-
Local Improvement Storm - Misc.	-	$1,778.00

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "L", 1 page)

(See By-law 5 : No. 80-184)

CARRIED

Council consented to the amendment in the seventh paragraph of Clause 17 to delete the word "creates" and to substitute therefor the words "could create".

17. That the following resolution of the City's Residency Appeal Committee (Communication 544) be approved:

> *"Whereas the Province of Ontario assumed the municipal share of losses on Kingston Housing Authority Rent-Geared-to-Income Units as of April 1, 1980, and*
>
> *Whereas the Ontario Housing Corporation has directed the Kingston Housing Authority to eliminate the 12 months residency in Kingston rule on or before January 1, 1981, and*
>
> *Whereas after January 1, 1981 any resident in the Province of Ontario for 12 months may apply for and be housed in a unit in the City of Kingston, and*
>
> *Whereas the proximity of institutions, such as Millhaven, Frontenac, Joyceville, etc., attract relatives and friends of the inmate population, and*
>
> *Whereas many of these non-residents may apply to and be housed by the Kingston Housing Authority, and*
>
> *Whereas many of those so housed apply for welfare and require other municipal services, and*

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

17. (Cont'd)

Whereas this could create an unusual financial burden on the Kingston taxpayers;

Therefore be it resolved that the City of Kingston request the Government of Ontario to assume the municipal 20% of welfare cost for all non-residents of Kingston housed by the Kingston Housing Authority, and

Be it further resolved that copies of this resolution be forwarded to Honourable Keith Norton, M.P.P."

(Note: A copy of a Report of the Chief Administrative Officer is attached hereto as Schedule "M", 2 pages)

CARRIED AS AMENDED

Ald. Webb and Ald. Timmins returned.
Ald. Tarnowecky withdrew.

18.(A) Whereas Clause 8 of Report No. 63 of the City of Kingston Planning Board was deferred for consideration when a report from the Commissioner of Works on the costs involved in restoring the visible portions of the cobblestone streets, rather than repairing the entire street to the water's edge was received;

That the Report of the Commissioner of Works, attached hereto as Schedule "N", 1 page, be now considered.

CARRIED

Ald. Tarnowecky returned.

REPORTS (Cont'd) – August 28, 1980

Report No. 70 - Chief Administrative Officer

18. (Cont'd)

(B) (Formerly Clause 8, Report No. 63):

That the following resolution, passed by Council at its meeting on June 5 1980 (Clause 1, Report No. 49) be reaffirmed:

> *"That, as recommended by the Local Architectural Conservation Advisory Committee, all brick streets in the City of Kingston be preserved and maintained as such for the enjoyment of future generations, particularly the foot of Johnson, Brock and Clarence Streets, and that portion of Pine Street which are paved with brick, and that approaches be made to the Ontario Heritage Foundation and the Kingston Historical Society for support for the preservation and maintenance of these particular streets."*

- and further -

That the aforementioned cobblestone streets (foot of Johnson, Brock and Clarence Streets and a portion of Pine Street) be preserved, restored and maintained to the best of the City's ability.

CARRIED 11:2
Ald. Hawkins opposed

19. That, further to Clause 6 of Report No. 45, 1980, when the Commissioner of Works was requested to defer that portion of Tender No. 80-2 with respect to Clarence Street from Ontario Street to the waterfront, as recommended by the Commissioner of Works, authorization is hereby given for the presently approved work in Clarence Street from Ontario Street easterly to now commence it being understood that the cobblestones will be salvaged by the contractor and stored in the adjacent Park for reuse in paving Clarence Street and since there are not sufficient cobblestones to repave the whole section of the street, that Clarence Street from ____ m east of Ontario Street easterly ____ to the end of Clarence Street be repaved with the salvaged cobblestones.

CARRIED AS AMENDED 12:1
(See following motion of amendm
Ald. Hawkins opposed

NOTE: SEE MOTION OF RECONSIDERATION PAGE 1616

Moved by Ald. Knapp,
Seconded by Ald. Clark,

That Clause 19 be amended by deleting the words, "and transported by the Contractor to the City Yard for storage for use at a later date", and substituting therefor the words, "by the contractor and stored in the adjacent park for reuse in paving Clarence Street and since there are not sufficient cobblestones to repave the whole section of the street, that Clarence Street from ___m east of Ontario Street easterly ____m to the end of Clarence Street be repaved with the salvaged cobblestones. "

CARRIED 7:6

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

20. That, as recommended by the Commissioner of Works, the Local Improvement program for Paving, as set out on the attached Schedule "P", is hereby approved, it being understood that individual by-laws will be initiated for each of the projects, either under Section 7 or Section 8 of the Local Improvement Act, having a total estimated debenture amount of $74,400.00 with any necessary transfers of budget allotment included in the individual recommendation for by-laws.

(Note: A copy of the Report of the Commissioner of Works is attached hereto as Schedule "P", 1 page)

CARRIED

21. That, as recommended by the City Solicitor, a quit claim deed to Canada Mortgage and Housing Corporation for the City's interest in Lot 77, Registered Plan No. 1088, being described as Parts 1 to 9, Reference Plan 13R-403 and known as 330-334 Sydenham Street is hereby authorized to be executed by the Mayor and City Clerk in order to release C.M.H.C. from an agreement with the former owner of this property as its conditions are completed.

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "Q", 1 page)

TABLED
(See following motion to table)

Moved by Ald. Webb,
Seconded by Ald. Gorham,

That Clause 21 be tabled until the meeting of September 8th so that the Aldermen will have time to discuss this item.

CARRIED

Ald. Knapp withdrew.

22. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council for THREE READINGS ON AUGUST 28, 1980, to authorize the execution of a connecting link agreement with the Minister of Transportation and Communications for the construction of Princess Street from 287.26 meters east of Portsmouth Avenue to 137.75 meters west of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement at Princess Street and Sir John A. Macdonald Boulevard.

(Note: A copy of the Report of the Administrator is attached hereto as Schedule "R", 2 pages)

(See By-law 9: No. 80-188)

CARRIED

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

23. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council to amend By-law No. 24 (Traffic By-law) to provide that parking be prohibited on the west side of Macdonnell Street between Princess Street and South Bartlett Street.

(Note: A copy of the Report of the Administrator is attached hereto as Schedule "S", 1 page).

(See By-law 6 : No. 80- 185)

CARRIED

24. That, as recommended by the Traffic, Streets and Parking Administrator, a by-law be presented to council to amend by-law No. 10, "A By-law Respecting Streets" to grant permission to the owner, Mr. Ernest Muller, to pave the narrow strip of City boulevard between the curb and the sidewalk (approximately 3 feet by 25 feet) in front of 893 Division Street on the condition that this asphalt area not be used for parking of vehicle

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "T", 1 page)

(See By-law 7 : No. 80- 186)

CARRIED

Council consented to consider Clause 25, paragraph by paragraph.

25. That:

(A) The Arts & Science Undergraduate Society of Queen's University are hereby granted permission to hold a "Mardi Gras Festival" on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m.;

CARRIED

(B) A By-law be presented to council to close Queen's Crescent from University Avenue to Albert Street to vehicular traffic, on a tempora basis, on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. for community purposes in order that the Arts and Science Undergradua Society of Queen's University may hold a "Mardi Gras"; and

CARRIED

(C) The request of the Arts and Science Undergraduate Society of Queen's University for an exemption from the "Noise By-law" while holding a "Mardi Gras" at Queen's University on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. is hereby granted.

CARRIED

REPORTS (Cont'd) - August 28, 1980

Report No. 70 - Chief Administrative Officer

25. (Cont'd)

(D) As recommended by the Traffic & Streets Administrator, permission be granted to the A.S.U.S. to erect 2 banners across University Avenue, one at Queen's Crescent, entitled "Mardi Gras," and one at Union St. entitled "What's Happening?" (These events are part of the regular orientation plans already referred to earlier in this report, see Clause 2.

CARRIED

(E) As recommended by the Parks & Recreation Commissioner, permission be granted to A.S.U.S. to hold a Garden Party in City Park on Sunday, September 14, in accordance with the student request. In addition, permission be granted for the sale of non alcoholic refreshments in the park on this occasion.

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Miller,
Seconded by Ald. Bishop,

That paragraph (E) be amended to add, in the last sentence, the words "non alcoholic" after the word "of" so that it reads, "In addition, permission be granted for the sale of non alcoholic refreshments in the park on this occasion.

CARRIED

(F) As recommended by the Traffic & Streets Administrator, permission be granted to the A.S.U.S. to hold a Football Parade on Saturday, September 13th from the Queen's Gymnasium along Union Street to Richardson Stadium on the West Campus.

CARRIED

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "U", 2 pages).

(See By-law 8: No. 80- 187)

(See By-law 14: No. 80-190)

26. Clause 26 was considered on August 25, 1980. (See Page 1566)

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Schedule "A" to Report No. 70
(Page 1)

AUG 13 198

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: August 13, 1980

SUBJECT: SITING OF SCULPTURING "THE FIRST SHIP"

ORIGIN: Department of Parks & Recreation

ANALYSIS: As per Council's instructions, this matter is back for consideration as to the the siting of the work.

In my first report to Council on this subject (see attached) I listed four sites in order of my priorities.

RECOMMENDATION: It is recommended that the "First Ship" be placed on Belle Park drive, approximately mid way between Montreal Street and Belle's Island and on the water side of the Road.

Douglas R. Fluhrer
Commissioner
Parks & Recreation

DRF/klh

attachment

Schedule "A" to Report No. 70
(Page 2)

MEMORANDUM

TO: Mayor K. Keyes

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department

DATE: July 23, 1980

SUBJECT: SCULPTURE - "FIRST SHIP" - ST. LAWRENCE COLLEGE

ANALYSIS: As per your instructions, I have met with Mr. Gaye Bullock, who has a piece of sculpture now located on the grounds of St. Lawrence College. Mr. Bullock must now move it and is looking for some suitable waterfront park in which to locate it.

Further, and as instructed, I have investigated the ways and means to move and base such a piece of work, and also I have discussed possible sites with Mr. Bullock. The structure is very sturdy and should withstand punishment.

FINANCIAL CONSIDERATIONS:

a. It is my understanding this is being offered to the City free of charge.

b. Mr. Bullock will assist the City in moving it (provide truck and crane), and design base.

c. Outside cost to the City should be approximately $700.00.

RECOMMENDATION:

1. If Council wishes to accept this gift, I offer the following possible sites for consideration, and in order of priority as I see them.
   a. Belle Island Drive Park - midway between the island and Montreal St.
   b. Orchard Street Park
   c. Dry Dock
   d. Lake Ontario Park.
2. I would warn St. Lawrence College this is done without prejudice, as they may go on producing many such works of this size, and we cannot go on accepting and housing all of them. This one has a water - ship theme which is appropriate in Kingston, and its lines are rather formal and pleasing.

D R Fluhrer

Douglas R. Fluhrer,
Commissioner, Parks & Recreation Dept.
DRF/dg

Schedule "B" to Report No. 70
(Page 1)

AUG 2 0 198

Memo to - Mr. R.J. Hamilton, Chief Administrative Officer

Date - August 13, 1980

SUBJECT Tender No. 80-31 Ice Control Salt

ORIGIN Purchasing Department - to meet the requirements of the Public Works Department for salt used on the roads and walks for ice control.

ANALYSIS A memorandum from Mr. Plumley of the Purchasing Dept. is attached.

Tenders

Canadian Salt	$25.40 per tonne
Domtar	$25.455 per tonne

Both companies have satisfactorily supplied salt to the City at various times.

EXISTING POLICY The lower tender is recommended unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Purchasing Department.

FINANCIAL The lower tender is about 9% above our 1979 price and 2% below the M.T.C. price for this area for this winter.

RECOMMENDATION That the tender of Canadian Salt Co. Ltd. for the supply of 4000 tonnes (more or less) at $25.40 per tonne of course crusted rock salt for ice control purposes be accepted being the lower tender received.

D. Graham, P. Eng.
Commissioner of Works

Schedule "B" to Report No. 70
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works.

FROM: Mr. R. J. Plumley, Purchasing Department.

SUBJECT: Tender No. 80-31 Ice Control Salt.

DATE: August 13, 1980.

Dear Mr. Graham:

Two tenders only as set out hereunder, have been received in response to the subject invitation covering an estimated 4000 tons more or less of coarse-crushed rock salt for ice control purposes.

Canadian Salt Company Limited	$23.04 ton ($25.40 tonne)
Domtar Chemicals Limited	$23.093 ton ($25.455 tonne)

The lowest price is approximately $.53 per tonne less than that accepted by The Ministry of Transportation and Communications for this area.

I would recommend for consideration that the tender of Canadian Salt Company Limited be accepted being the lower tender received.

Yours very truly,

R.J. Plumley

R. J. Plumley,
Purchasing Dept.

RJP/vn

cc. Mr. R. J. Hamilton,
Mr. B. G. Cousens.

NOTE: Period Of Use - 1980-1981
Method Of Invitation- Public & Individual
No. Of Invitations Sent - Three
Date Of Mailing - July 14, 1980
Date Of Closing - Aug. 8, 1980
No. Of Invitations Rec'd - Two

All invoicing will be in Metric Measure, Metric Tonne 1000 kg. = 2205 lbs.

Schedule "C" to Report No. 70
(Page 1)

Memo to	Mr. R.J. Hamilton, Chief Administrative Officer
Date	July 21, 1980
Subject	Construction of a concrete sidewalk (1.5 m wide) on Napier St., west side, from Scott St. to Dunlop St.
Origin	Public Works Department
Analysis	A sufficiently signed petition has been received for the above mentioned work. This project was initiat previously under Section 8 of the Local Improvement Ac
Existing Policy	When a sidewalk is constructed in a residential area for the first time, it is done under the Local Improvement Act.
Financial	The Local Improvement walk schedule includes a walk on the east side of Montreal St. from 55 m. north of Raglan northerly 31 m. The only owner has refused to sign a petition. The outcome of an O.M.B. hearing is doubtful at this time. It is suggested that rather than proceed under Section 8 with the Montreal St. walk, we use the $2,200.00 provided for it towards the Napier walk and transfer $1,300.00 from a small surplus ($2,040.00) left in General Rate Walks to provide the necessary $3,500.00.
Recommendation	That since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of a concrete sidewalk (1.5 m wide) on the west side of Napier St. from Scott St. to Dunlop St. under Section 7 of the Local Improvement Act.

Total estimated cost	$3,727.00
Owners' share	613.40
Anticipated MTC subsidy	227.00
City's share	2,886.60
Debenture amount	3,500.00

And, that the following transfer in the 1980 Capital Budget be approved.

Project	Increase	Decrease
Local improvement sidewalk	$1,300.00	
General Rate sidewalk		$1,300.00

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "D" to Report No. 70
(Page 1)

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer
FROM:	D. Graham, Commissioner of Works
DATE:	August 19th, 1980
SUBJECT:	Tender 80-32 for Winter Control Sand
ORIGIN:	Purchasing Department-to meet the needs of the Public Works Department for sand to be used on slippery roads and walks.
ANALYSIS:	A memorandum from Mr. Plumley of Purchasing is attached. Six tenders were received with K. Mulrooney Trucking being the lowest at $2.64 per c.y. The Purchasing Department report samples taken from the pit meet the specifications. Further sampling and testing is carried out during delivery.
EXISTING POLICY:	The lowest tender is recommended for acceptance unless there is justification for doing otherwise. The Public Works Department concur in the recommendation of the Purchasing Department.
FINANCIAL:	The lowest tender is about 2% lower than in 1979.
RECOMMENDATION:	That, the tender of K. Mulrooney Trucking for the supply of 2000 c.y. (more or less) of winter control sand at $2.64 per c.y. including screening, delivery, and stockpiling be accepted being the lowest tender received.

D. Graham, P. Eng.
Commissioner of Works

DG;JC

Encl.

SUMMARY OF TENDER NO. 80-32

for

WINTER CONTROL SAND

PERIOD OF USE: 1980 - 1981
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 23

DATE OF CALLING: July 8, 1980
DATE OF CLOSING: July 22, 1980
NO. OF TENDERS RECEIVED 6

QTY.	DESCRIPTION	(1) K. MULROONEY	(2) JOYCEVILLE SAND & GRAVEL	(3) D.A. FOLEY	(4) WM. FLETCHER	(5) WOODS SAND & GRAVEL	(6) MEL SILVER
2000 cu.yd. more or less	Sand for Winter control purposes per cu. yd.	$2.64	$2.79	$2.78	$2.92	$2.69	$3.00
	Stockpiling & mixing per cu. yd.	above includes stockpiling	No extra charge	$ .15	$ .20	not prepared	$ .25
	Price cu. yd. (Mixed & Stockpiled)	$2.64	$2.79	$2.93	$3.12	N/A	$3.25

REMARKS

The herein tabulation is a summary of tenders received in response to the subject invitation for Winter Control Sand.

Tests conducted on samples taken from the pit , to be used as supply source by the lower bidder, were found to meet the gradation standards specified.

RECOMMENDATION

It is recommended for consideration that the tender (1) K. Mulrooney Trucking for the supplying of 2000 cubic yards (more or less) Winter Control Sand at $2.64 per cubic yard including delivery, screening and stockpiling be accepted being the lowest tender received.

Respectfully submitted,

RJ Plumley

R. J. Plumley,
Purchasing Department.

NOTE:

1979	Price	$2.69	cu. yd.
1978	"	$3.00	cu. yd.
1977	"	$3.30	cu. yd.
1976	"	$3.38	cu. yd.

Schedule "E" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 19-1

August 14, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: Resolution - City of Cambridge
Cooling-off period for Real Estate Transactions

This matter was brought to the attention of the Kingston and Area Real Estate Association who replied as per the attached letter.

We would therefore recommend that we file this resolution at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "E" to Report No. 70
(Page 2)

Kingston and Area Real Estate Association

(INCORPORATED 1955)
PHONE 548-4889 (AREA CODE 613)
155 BROCK STREET P.O. BOX 75
KINGSTON, ONTARIO K7L 4V6

Member of:
ONTARIO REAL ESTAT
ASSOCIATION

CANADIAN REAL ESTA
ASSOCIATION

AUG 8 198

August 1, 1980

Mr. R. J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Sir:

RE: Cooling-off period for Real Estate Transactions

Enclosed please find a copy of a brief prepared by the Kingston and Area Real Estate Association with regard to the resolution passed by the City of Cambridge. Mrs. Houghton has advised us in her letter of July 21, 1980 that this matter was referred to your department and we trust that the enclosed will be of some assistance to you. Should you have any questions, please give me a call.

Yours truly

KINGSTON AND AREA REAL ESTATE ASSOCIATION

Stuart Vandermeer/fj

Stuart Vandermeer
President

SV/fj
encl.

THE CAMBRIDGE RESOLUTION

ecently the Council of the City of Cambridge passed a resolution petitioning the Provincial overnment and specifically the Minister of Consumer and Commercial Relations to seek mendment to the standard for of "Agreement of Purchase and Sale" such amendment to include seventy-two (72) hour cancellation clause. This amendment has been sent to all the unicipal councils across the province with a request for support.

n the prologue to the resolution, the reason that is given for requesting this amendment is hat "many citizens especially senior citizens are signing these standard agreement forms ithout fully understanding the consequences of the actions and without professional non-bias dvice with respect to the purchase or sale of a property."

n Ontario and all across Canada, real estate practitioners are governed by a code of ethics nd standards of business practice as well as a variety of government legislation. For real state brokers and sales representatives who are members of the Ontario Real Estate Association his means adhering to the stringent Code of Ethics and Standards of Business Practice of the anadian Real Estate Association.

n the CREA Code of Ethics and Standards of Business Practice, for example, the following tandards are demanded among others:

Article 1

The member shall be well informed on current market conditions in order to be in a osition to counsel his clients in a repsonsible manner.

rticle 2

In accepting employment as an agent the Member pledges himself to protect and promote the nterests of the client, without relieving him from the obligation of dealing fairly will all arties to the transaction.

rticle 3

The Member shall ascertain and disclose all pertinent facts concerning every property for hich he accepts the agency so that he may fulfil his obligation to avoid error, exaggeration, isrepresentation, or concealment of pertinent facts.

rticle 6

The Member, for the protection of all parties with whom he transacts business, shall see hat financial obligations and commitments regarding real estate transactions are in writing, xpressing the exact agreement of the parties; and that copies of such agreements, at the time hey are executed, are placed in the hands of all parties involved.

rticle 7

The Member shall not discourage parties to a transaction from seeking legal counsel."

the local level these standards are enforced by the bylaws of the Kingston and Area Real tate Association through the Ethics Committee and this committee is empowered to act on all mplaints received from the public or other brokers and may even initiate action on their n if they feel there has been an infraction of these standards by a member. If such an fraction is determined to have occurred, they may impose a fine of up to $2,000.00 or expell e member from the Association.

e real estate industry is also governed by various goverment legislation. For example, under e Real Estate and Business Brokers Act of the provincial Ministry of Consumer and Commercial lations, to obtain a salesman's registration, an applicant must complete the 150 hour troductory Course, obtain employment with a registered broker and post a $1,000.00 surety bond.

qualify as a broker, the applicant must complete the Certificate Programme, which consists a minimum of four 30-hour courses dealing with the principles of appraisal, mortgage nancing, real property law, etc. and the 30-hour Real Estate Administration Course.

This education policy is determined by a standing committee appointed by the Minister of Consumer and Commercial Relations and is administered through the Ontario Real Estate Association. The ministry has the power to revoke registrations if it is determined that registrant has violated the Real Estate and Business Brokers Act in any way and any membe the public may contact the ministry directly if they have a problem with a real estate practitioner.

At the federal level one of the pieces of legislation governing the real estate industry the Combines Investigation Act of 1976 which imposes very strict advertising and business standards, and infractions of this Act may result in imprisonment for up to five years or fine of $1,000,000.00 or both. Here as well, the public may apply directly if they feel there has been an infraction.

The real estate practitioners of the province are as interested as anyone in protecting t rights of all citizens whether they are 18 or 80 and as we have outlined, there are a num of courses of action open to individuals who feel they have been unfairly dealt with by a real estate broker or salesperson. They can appeal to the Ethics Committee of the local estate board. They can contact the Registrar of Real Estate at the Ministry of Consumer Commercial Relations in Toronto. And finally, there is the legal and court system of the province of Ontario.

Through the Code of Ethics to which all members of the Ontario Real Estate Association an local real estate boards subscribe, it is evident that organized real estate believes tha the interests of the consumer are paramount. They further indicate that proven charges o unscrupulous activities by any member will be severely and immediately dealt with.

In the Cambridge resolution the statement is made that persons signing the standard agree forms are doing so without fully understanding the consequences of the actions and withou professional non-bias advice. There is, however, no mention of any factual evidence to b up this statement.

Furthermore, the resolution is requesting an amendment to the standard agreement of purcha and sale form used by members of the Ontario Real Estate Association. Membership in the Ontario Real Estate Association is voluntary, not mandatory, and thus there are real esta practitioners in the province of Ontario who are not members of the Association and thus c not use the standard form. How will this amendment "protect" citizens from them.

For the above reasons alone, we fell it is unnecessary to legislate a 72 hour cooling off period for prospective purchasers and vendors. However, there are more serious economic repercussions if such a move should be introduced.

Unlike a situation in which consumers are given "cooling-off" protection from door to door salesmen, it must be understood that real estate transactions are entirely different.

Real estate transactions normally are transfers of real property between two consumers wit the real estate agent bringing the two parties together for this purpose. In the majority cases, the vendor is himself purchasing real property and, often that transaction is conditional on the sale of the vendor's property.

a 72-hour cooling-off period in this instance would severely jeopardize the owners ability sell his property and purchase a new property within the minimum time period it not takes, and could result in a vendor finding at the end of his 72 hours that the house on which he made a conditional offer had been sold to someone else (and he would be unable to waive th "protection" of the 72-hour period.)

Simply put, if every offer on a property could be withdrawn by a purchaser over a 72-hour period, of if a vendor wuld "sit on" an offer for 72 hours after acceptance, uncertainty w infect the marketplace and severely hamper real estate activity - activity which is a keys of Ontario's economic health.

oo, there is no indication as to the intent of the coolin-off period. Who is it aimed at? hat is its purpose? Does it affect the purchaser only? Or the vendor? Or both? And hen does the 72 hours begin to run?

ndeed, the simplest real estate transaction would unnecessarily be made more complex as offers nd counter-offers on property which can now be handled in two days would wind up taking a inimum of a week.

or example: Vendor A receives an offer (presumably subject to the 72 hour period in favour f the purchaser). After 24 hours he counter offers. The purchaser accepts the counter-offer nd another 72 hour period begins to run. Vendor A meanwhile, is looking at Vendor B's roperty, but cannot make an offer until he knows his own property is sold. Once the offer n Vendor A's property is firm, Vendor A then makes an offer on Vendor B's property and the hole process starts all over again. If Vendor B also wants to purchase a home, the omplexity becomes mind boggling.

he concept of the cooling-off period also opens up a Pandors's Box of frivolous offers which an be given and withdrawn at will withing the specified time frame. Recently, a 10-day ooling off period was suggested for purchasers of condominiums. While the legislature of ntario felt that this was a wise steip when the purchaser was buying from the builder (or anufacturer, if you will), it forcefully rejected the idea of such cooling-off periods for esale condominiums, realizing that transaction costs would rise dramatically due to the rolonged process involved and the very real possibility of numerous frivolous offers being ade on each property listed for sale.

nd finally, the proposal serves to further erode the rights of the property owner in that he s unable to deal with his property in the manner he wishes due to a provision intended for is "protection".

n summary, the reality of the Cambridge resolution, like that of the Tecumseh resolution ade last year, is that is is frivolous, made without substantiated charges and without careful hought to the economic ramifications of its proposals.

nrough industry action and codes and through existing government legislation, there are a umber of alternate routes of action for those who believe they have been unfairly dealt with y real estate brokers or sales representatives.

cooling-off period is unnecessary and would cause serious economic repercussions, increasing ne cost of real estate transactions and creating problems for buyers and sellers which they o not have at the moment. Further more as pointed out before, amending the standard agreement f purchase and sale will not protect all citizens, only those who are dealing with members of ne Ontario Real Estate Association, and who, therefore, are already protected by the tringent Code of Ethics and Standards of Business Practice imposed by this body on its members.

ne Board of Directors of the Kingston and Area Real Estate Association strongly urges your to nsider all the pitfalls of the cooling-off resolution. It may well appear to be a "Motherhood roposal", but, in fact, it would create more problems than it is intended to sclve, since plication of such resolution is directly opposed to our traditional system of Free Enterprise d responsible citizen participation.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-2.70-6

August 15, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: THOMAS LEMMON & SONS LTD.
79 NORTH STREET

We are forwarding herewith a copy of a memorandum from Mr. Jackson and Mr. Muirhead concerning the relationship between the City and Thomas Lemmon and Sons.

City Council referred this memorandum to the City Solicitor with the request he report to the City with regard to legal expenses, which Mr. Jackson has set out.

Mr. Jackson indicated it would appear to him that there was no legal obligation to pay the expenses incurre by Thomas Lemmon & Sons Ltd.. Further, if City Council feel the landowner was harassed, as suggested by the Alderman, it could consider making an ex gratia grant to the landowner, but such action is not legally required.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Office of the
City Solicitor
Our Ref. No. 80-170

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: August 14, 1980

RE: Thomas Lemmon & Sons Ltd.
79 North Street

At the City Council meeting of July 14, 1980, Alderman Webb presented the attached communication and it was referred to me for a report on the liability that the City might have with regard to legal expenses that Thomas Lemmon & Sons Ltd. may have incurred during negotiations with the City of Kingston for the acquisition of their property at 79 North Street.

Generally speaking, in a normal real estate transaction, each side to the transaction bears its own legal expenses, unless there is a requirement to the contrary in the Agreement of Purchase and Sale.

If the property of Thomas Lemmon & Sons Ltd. had been purchased by the City, the City might have included in the purchase price 10% over and above the appraised value. This 10% has been added to avoid the necessity to expropriate and is intended to cover some of the expenses of the Vendor, including his legal costs.

If the matter had proceeded to expropriation, The Ontario Expropriations Act provides, in Section 33, that in awarding compensation the Land Compensation Board may make an order directing the statutory authority to pay all the reasonable legal, appraisal and other costs to the owner for the purpose of determining compensation. The Ontario Expropriations Act is, however, silent, and does not require the statutory authority to pay the legal costs of the owner at any time prior to the hearing by the Land Compensation Board, including the earlier Board of Enquiry hearing required under The Ontario Expropriations Act.

In this particular case, the landowner, of his own volition, chose to be represented in discussions with the City by a solicitor. These discussions have now been terminated and no acquisition of the property is to take place. If acquisition had taken place, there

.../2

- 2 -

Mr. R.J. Hamilton,
Chief Administrative Officer

August 14, 1980

might have been compensation for the legal expenses in the 10% policy that the City has, or later, at expropriation. However, since this matter has not progressed to either of these stages, that is land acquisition or expropriation, it would appear to me that there is no legal obligation on the City to pay the legal expenses incurred by the landowner, Thomas Lemmon & Sons Ltd. If City Counci felt that the landowner was harassed, as suggested by the Alderman, it could consider making an ex gratia grant to the landowner, but such action is not legally required.

N Jackson

Norman C. Jackson,
City Solicitor

NCJ/ks
Enclosure

July 18, 1980.

MEMORANDUM TO: Mrs. M. Houghton,
Acting City Clerk,
Pro Tempore.

Re: Land Acquisition - NIP -
Thomas Lemmon & Sons Ltd., 79 North St.

Thank you for sending me a copy of the memo presented at Council by Ald. George Webb. Ministry of Housing officials advise that such an expenditure is not eligible for funding under the NIP Program and would have to be borne entirely by the City.

Yours very truly,

G. G. Muirhead

GGM/mm

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

Schedule "G" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

August 19, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL
FROM: Mr. R.J. Hamilton, C.A.O.
RE: GRANT - Throid Eye Research Fund

We recently received a request from the Thyroid Eye Research Fund addressed to the members of council which has been referred to my office for comment.

Council will recall that we have, on occasion, given grants to various worthwhile organizations, the last one being a grant of $800.00 to the Ongwanada Hospital for a fund raising night. This represented the rental of the arena which was covered by way of a grant.

Also, in 1979, we provided a number of grants to other municipal governments that experienced serious flooding etc. It is extremely difficult to separate worthwhile projects that may help the citizens of our community and in this regard I would recommend that Council seriously consider the granting of $300.00 for this funding with a view that this is a once in a life time grant and should not be interpreted as being a continuing item in future.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "H" to Report No. 70
(Page 1)

JUL 10 1980

DEVAN ENTERPRISES INC.

Please reply to:
8 KING STREET EAST
SUITE ~~1214~~ 910
TORONTO, ONTARIO
M5C 1B5
TELEPHONE 416/366-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-30

7th July 1980.

INVOICE

re: Professional Services

Total hours	16¼ x 75	$ 1218.75
L.D.C.		10.43
Mileage - 500k @ 18¢ per k		90.00
Out of Pocket		7.45
Long Distance		10.43
	Total Due	1337.06

Mr. R.J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston

Invoice # 65

Schedule "H" to Report No. 70
(Page 2)

AUG 12 [illegible]

DEVAN ENTERPRISES INC.

8 KING STREET EAST
SUITE XXX 910
TORONTO, ONTARIO
M5C 1B5
TELEPHONE 416/360-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-3039

INVOICE

August 8, 1980

Re Professional Services

Hours 2.25 x 75	$168.75
Expenses	
Telephone	24.59
Total Due	$193.34

Mr. R.J. Hamilton
Chief Administrative Officer
City of Kingston
City Hall
Kingston, Ontario

Invoice #75

Schedule "H" to Report No. 70
(Page 3)

DEVAN ENTERPRISES INC.

8 KING STREET EAST
SUITE ~~12X1~~ 910
TORONTO, ONTARIO
M5C 1B5
TELEPHONE 416/366-9519

OLD KING ROAD
R.R. #1
BOLTON, ONTARIO
L0P 1A0
TELEPHONE 416/857-30

August 5, 1980

Mr. Robert Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario

Dear Mr. Hamilton:

Attached please find my account for the month of June.

The following is a brief explanation of my activities:

June 3 - Telephone conference with yourself and Community Renewal Branch etc.

June 6 - Visit to Kingston - conference with yourself and Community Renewal Branch - various individuals with the City of Kingston

June 9 - Telephone conference with yourself and Community Renewal Branch and Larry Smith & Associates

June 10 - Telephone conversations with yourself and Community renewal Branch

June 16 - Telephone conversation with yourself and Community Renewal Branch

June 17 - Telephone conversation with yourself, Mayor Keyes, Community Renewal Branch, Larry Smith & Associates etc.

June 19 - Telephone conversation with yourself, Community Renewal Branch

June 25 - Telephone conversation with yourself, Community Renewal Branch, forwarding of information to the Community Renewal Branch

June 25 - Telephone conversation with yourself reviewing the tax information for Mr. Cousins - report to the Community Renewal Branch

June 26 - Telephone conversation with yourself and Community Renewal Branch

June 27 - Conference with yourself

I trust everything is to your satisfaction

Yours very truly

DEVAN ENTERPRISES INC

J.P. van Haastrecht

Schedule "I" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-3.1

August 20, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: CURRENT BUDGETS - DOWNTOWN DEVELOPMENT

Members of Council will recall that when we established our Budget for 1980, we included an amount of $500,000. as (Capital Out of Revenue), to be used for the Downtown Development project we were contemplating at that time.

In addition, we had proposed further amounts in 1981 and 1982 of $200,000. for a total of $900,000. We had also set up, in our Capital Budget, an amount of $1,100,000. in 1980 with a suggestion that the years of 1981 and 1982 also contained further amounts for a total of $2,800,000. for the three year period. This represented our anticipated share under the Downtown Redevelopment program in order to obtain the Provincial Government funding of $7.3 Million.

A number of the members of Council were enquiring how best this matter could be handled, resulting from the announcement by Chartwood Development to not go ahead with our project at this time.

We have reviewed the principals that Council adopted in setting our Capital Budget and we set these out below for Council's general consideration:

(1) Set up the "Cash Out of Revenue" for the C.B.D. as follows:

Year	Amount
1980	$500,000.
1981	200,000.
1982	200,000.

Schedule "I" to Report No. 70
(Page 2)

- 2 - August 20, 1980

(2) Commence paying $200,000. or 10% of Capital Works in 1983 and add $200,000. each year up to 1991 in order to eliminate future capital borrowings after 1991.

(3) Put a ceiling on all future capital spending of up to $2,000,000. for each year up to 1991.

(4) City Council must establish the projects that are to be included as priority items in each year up to the level of $2,000,000.

(5) In 1980, the C.B.D. Capital Budget of $1,100,000. will leave an amount of $900,000. for all other city capital works.

(6) Council should be aware that our debt charges after 1991 will start to drop quite drastically and will be eliminated in a very few years afterward.

The amount of $500,000. referred to above, less any expenses incurred, at this time, which are primarily those paid to our Consultant, should be placed in a Special Reserve Fund called "Reserve for Downtown Redevelopment" at this time.

This method would provide necessary funds in future when City Council decide on an alternative project for Downtown Redevelopment. We do not think that Council should use these funds as a general revenue at this time. If, in the future, these monies are not totally used for this particular purpose, we could prepare a necessary report to provide for various alternatives to Council in the handling of these amounts.

Once again, we should be vitally concerned in retaining financial strength for the City of Kingston and based on the principals adopted by Council, during our Capital Budget, all matters of this kind should be used in future to provide the strength to retain a viable commercial enterprise.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "J" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 20th, 1980

SUBJECT: Reconstruction of concrete sidewalk (1.5 m. wide) in Ontario Street east side from Johnson Street southerly 85.34 m.

ORIGIN: Public Works Department

ANALYSIS: A sufficiently signed petition for the subject work has been received. The existing walk is in a deteriorated condition.

EXISTING POLICY: Walk reconstruction in commercial areas is carried out under the Local Improvement Act.

FINANCIAL: A transfer of debenture allotment will be necessary.

RECOMMENDATION: That since a sufficiently signed petition has been received a by-law be passed to authorize the reconstruction of the concrete sidewalk in Ontario Street east side from Johnson Street southerly 85.34 m. under Section 7 of the Local Improvement Act,

Costs are:

Total estimated cost....	$4,900.00
Owner's share...........	$2,187.38
City's share............	$2,712.62
Debenture amount........	$4,900.00

and that the following transfers in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement Walks- Ontario Street	$4,900.00	
Local Improvement Storm - Misc.		$4,900.00

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "K" to Report No. 70
(Page 1)

MEMORANDUM

To: Mr. R.J. Hamilton, Chief Administrative Officer

From: Mr. D. Graham, Commissioner of Works

Date: August 20, 1980

Subject: Reconstruction of asphalt pavement in Ontario Street from Johnson Street to William Street

---

ORIGIN	Public Works Department
ANALYSIS	A sufficiently signed petition for the above described work has been received. The pavement is in a deteriorated condition. The P.U.C. have scheduled utility installations prior to road reconstruction.
EXISTING POLICY	Road reconstruction in commercial areas is carried out under the Local Improvement Act.
FINANCIAL	The 1980 Capital Budget includes $25,000.00 for this project. A transfer of debenture allotment will be necessary.
RECOMMENDATION	That since a fully signed petition has been received a by-law be passed to authorize the reconstruction of the Asphalt pavement in Ontario Street from William Street to Johnson Street under Section 7 of the Local Improvement Act.

Costs Are

Total estimated cost	$57,000.00
Owner's share	$ 4,543.56
M.T.C. subsidy	$21,578.00
City share	$30,878.44
Debenture amount	$35,422.00

and that the following transfers in the 1980 Capital Budget be approved.

Project	Increase	Decrease
Local Improvement Roads - Ontario St.	$10,422.00	
Local Improvement Storm - Ontario St.		$4,000.00
Local Improvement Storm - Misc.		$6,422.00

D. Graham, P. Eng.
Commissioner of Works

DG:CL

Schedule "L" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 20th, 1980

SUBJECT: Construction of curb, gutter and boulevard in Ontario Street, east side, from Johnson Street southerly 88.39 m.

ORIGIN: Public Works Department

ANALYSIS: A sufficiently signed petition for the subject work has been received.

EXISTING POLICY: Construction and reconstruction in commercial areas is carried out under provisions of the Local Improvement Act.

FINANCIAL: A transfer of debenture allotment will be necessary.

RECOMMENDATION: That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of curb, gutter and boulevard in Ontario Street, east side, from Johnson Street southerly 88.39 m under section 7 of the Local Improvement Act.

Costs are:

Total estimated cost..........	$3,000.00
Owner's share................	$ 555.85
M.T.C. subsidy...............	$1,222.00
City's share.................	$1,222.15
Debenture amount.............	$1,778.00

and that the following transfer in the 1980 Capital Budget be approved:

Project	Increase	Decrease
Local Improvement Road - Ontario Street	$1,778.00	
Local Improvement Storm - Misc.		$1,778.00

D. Graham, P. Eng.
Commissioner of Works

DG:JC

Schedule "M" to Report No. 70
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 20-5.3

August 21, 1980

M E M O R A N D U M

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: RESOLUTION - TENANTS OF KINGSTON HOUSING AUTHORITY ON MUNICIPAL WELFARE ASSISTANCE

We are forwarding herewith information requeste

by Council, in particular Alderman Miller, to consider

the resolution as set out on the attached.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "M" to Report No. 70
(Page 2)

AUG 21 1980

memorandum

Department of Social Services
City of Kingston

TO: Mr. R. J. Hamilton
C.A.O.

DATE: August 20th, 1980

FROM: Mr. S. H. Routbard
Administrator

SUBJECT: RESOLUTION - RE: TENANTS OF KINGSTON HOUSING AUTHORITY ON MUNICIPAL WELFARE ASSISTANCE

The following data is in response to information requested by Alderman Miller.

(a) As of August 20th, 1980, there were 105 cases on our rolls with 275 dependants, occupying premises operated by the Housing Authority.

(b) The monthly gross cost of Public Assistance for the above is presently $42,913.00 per month. The net Municipal cost at 20% being $8,582.00.

These figures as to residents and financial assistance may vary from month to month depending on persons moving in or out or transferring to Provincial Allowances.

Schedule "N" to Report No. 70
(Page 1)

AUG 21 1980

MEMORANDUM

To: Mr. R.J. Hamilton, Chief Administrative Officer

From: Mr. D. Graham, Commissioner of Works

Date: 20 August 1980

SUBJECT Cobblestones

ORIGIN Council requested a report on the cost of restoring the visible portions of cobblestones now in existence.

ANALYSIS There have been areas repaired in asphalt in the four remaining streets. In addition there is likely to be some loss of stone in the repair process through deterioration. It is assumed in providing the cost information that the repairs will be made from salvaged cobblestones (without purchasing cobblestones). The following table provides information as to areas.

Street	Present Cobblestone Area (gross) sq. ft.	Reconstructed Area sq. ft.
Clarence St.	5600	3900
Johnson St.	3300	2300
Brock St.	4570	3200
Pine St.	1700	1100

FINANCIAL The cost to salvage cobblestones and repair patched sections to produce a cobblestone road for the reconstructed lengths shown is as follows:

Street	Length (ft)	Cost
Clarence St.	70	$13,600.00
Johnson St.	70	$ 8,000.00
Brock St.	70	$11,200.00
Pine St.	33	$ 3,900.00

D. Graham, P. Eng.
Commissioner of Works

DG:CL

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: D. Graham, Commissioner of Works

DATE: August 19th, 1980

SUBJECT: Asphalt Pavement - Clarence Street: Ontario Street easterly

ORIGIN: Public Works Department

ANALYSIS: Council has directed that no work commence on this project until a decision has been made on the treatment of the cobblestones. This decision should be made and work commenced for the following reasons:

1. People that have purchased condominium units and are living in them must use Clarence Street for vehicle access. It is in very poor condition.
2. The Developer has petitioned for an asphalt pavement. A by-law was initiated and has been approved by Council and the O.M.B.
3. The work is under contract and the Contractor has completed all the other work in the contract except this project and the adjoining project on Ontario Street: Johnson to Clarence. The Contractor would like to complete the work as soon as possible as costs continue to increase.
4. The contract includes an escalation clause covering liquid asphalt. The longer the placing of asphalt is delayed, the greater the cost to the citizens.
5. The number of tourists will drop sharply after Labour Day and construction will not be the problem it would be now.
6. The end of the construction season is approaching.

Some factors to consider in making a decision on the disposition of the cobblestones are:

a. Laying of cobblestones is labourious and costly which is one explanation why they are a "thing of the past" which in turn explains the interest in preservation.

b. The contract provides for the salvaging and transporting the cobblestones to the City Yard for storage for future use.

c. The construction by-law describes the work as an asphalt pavement. A change to use cobblestones would require the approval of the owners and the O.M.B.

d. If the cobblestones on Clarence Street were repaired or re-layed, longitudinally the cobblestones would be about 21 m. Some contract re-negotiation would be involved.

....../2

Schedule "O" to Report No. 70
(Page 2)

ANALYSIS: (continued)

e. Because of the grade of the walk on the north side which will remain and the grade of the entrances on the south side, as well as the steepness of the grade as it approaches Ontario Street tend to make repair of the cobblestones undesirable. In addition there would be a delay in amending the by-law.

f. Reconstructing 21 m. of cobblestones to the proposed asphalt grade would solve most of the problems in (e) above. The cost is estimated at an additional $8,000. It is unlikely the Developer would be willing to share in this extra cost and a by-law amendment would be required.

g. Three agencies were asked for assistance. A reply has been received from Ontario Heritage Foundation advising that because of a limited budget they must restrict their grants to conservation of buildings. At the time of preparing this report there had been no reply from either the Kingston Historical Society or the Ministry of Culture.*

h. There have been two written objections from citizens to the use of cobblestones where pedestrians are to walk, because they may be hazardous.

i. There has been a proposal from the Commissioner of Parks that he would be pleased to use the cobblestones in connectio with the proposed waterfront walkway development from Princess Street to Clarence Street, possibly to act as a curb along the sides.

j. The Deputy City Engineer has suggested the proposed downtown promenade on Princess Street as location to use them.

FINANCIAL: Repaving or repairing with cobblestone is several times as costly as using asphalt. It is unlikely that the developers would share in the extra cost. The request for assistance in preserving the cobblestones has not been fruitful. The M.T.C. subsidy is on a quota basis. The more quota used on high cost projects the less there will be for other projects.

RECOMMENDATION: That since there are various reasons why the project should proceed as soon as possible and since financial assistance to preserve the cobblestones has not been forthcoming on short notice, authorization be given for the presently approved work in Clarence Street from Ontario Street easterly to commence, it being understood that the cobblestones will be salvaged and transported by the Contractor to the City Yard for storage for use at a later date.

D. Graham, P. Eng.
Commissioner of Works

DG:JC

* Letter received on August 21, 1980 from Ministry of Culture advising they are unable to assist as the program is in obeyance at this time. They do not know when it will be reinstated and what types of projects will be eligible for assistance.

Schedule "P" to Report No. 70
(Page 1)

Memo to -	Mr. R.J. Hamilton, Chief Administrative Officer
Date -	19 August 1980
SUBJECT -	The 1980 Local Improvement Road Program

ORIGIN Public Works Department

ANALYSIS The program is based on need for construction or reconstruction. Indication from the owners that they will sign a petition is given consideration.

Proposed Local Improvement Paving Program

Street	From	To	Total Cost	Debenture Amount
Bagot	Russell	116 m. E'ly	$37,000.00	$24,500.00
Napier	Park	Scott	$26,700.00	$15,400.00
L. Union	Ontario	62 m. E'ly	$20,000.00	$20,000.00
Armadale	All		$23,500.00	$14,500.00
			$107,200.00	$74,400.00

EXISTING POLICY Priority is usually given to Local Improvement projects when a sufficiently signed petition is received.

FINANCIAL In the 1980 Capital Budget $70,000.00 was provided for the Local Improvement Program. A petition has been received and a by-law iniated for the pavement on Napier St. It is shown here to complete the picture on the proposed allocation of funds.

RECOMMENDATION That the Local Improvement program for Paving be approved, it being understood that individual by-laws will be initiated for each of the projects, either under Section 7 or Section 8 of the Local Improvement Act having a total estimated debenture amount of $74,400.00 with any necessary transfers of budget allotment included in the individual recommendations for by-laws.

D. Graham, P. Eng.
Commissioner of Works

DG:CL

AUG 2 1 1980

Office of the
City Solicitor
Our Ref: 80-883

MEMORANDUM

TO: R.J. Hamilton
Chief Administrative Officer

FROM: Norman C. Jackson
City Solicitor

DATE: August 20, 1980

RE: 330-334 Sydenham Street

On August 25, 1975 City Council passed By-law 8532 authorizing the execution of an agreement between the City and John VanDuinen in respect of property known municipally as 330-334 Sydenham Street. This property was the subject of an application to the Committee of Adjustment of the City to permit a variance from the requirements of the then zoning By-law 3077, which was to permit an increase in the number of units from 5 to 6 in the apartment building. The agreement required site plan approval.

Canada Mortgage and Housing Corporation have now taken over the property and have asked the City whether it is satisfied that the provisions of the agreement have been completed, and whether the agreement can be released. The Planning Department has confirmed that a site plan was submitted and approved by the City and the Building Inspector has confirmed that the site plan was adhered to. The original agreement which required site plan approval and required no further subdivision of the land except an application by way of Section 29 of The Planning Act, has, in fact, been superseded by the provisions of Section 35(a) of The Planning Act.

I would therefore recommend that this agreement be released by the City and that the enclosed Quit Claim Deed be executed by the Mayor and City Clerk.

NCJ/nr
Encl.

Norman C. Jackson
City Solicitor

AUG 21 1980

Schedule "R" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: BY-LAW TO AUTHORIZE THE EXECUTION OF A CONNECTING LINK AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS FOR THE WIDENING OF PRINCESS STREET FROM 287.26 METERS EAST OF PORTSMOUTH AVENUE TO 137.75 METERS WEST OF SIR JOHN A. MACDONALD BOULEVARD, INCLUDING TRAFFIC SIGNAL IMPROVEMENT AT PRINCESS STREET AND SIR JOHN A. MACDONALD BOULEVARD

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) The Ontario Municipal Board has approved on February 15, 1980, a Construction By-Law and issuance of debentures for $140,000.00 for the widening of Princess Street.

2) M.T.C. had requested a fall tender call due to 1980 budgetary limitations in the Ministry.

3) M.T.C. has recently approved construction plans prepared by the Public Works Department.

4) Tenders will be called in September, 1980.

5) If good weather prevails this fall as last fall, it is anticipated that most of the widening will be constructed, except for top asphalt, boulevard, etc.

FINANCIAL CONSIDERATIONS:

1) A Connecting Link Agreement provides 75% subsidy for the construction of the widening, except for land and signal lights, which are eligible for 50% subsidy under Part 10 of the Act.

2) At the request of the Public Utilities Commission, the agreement and tender includes installation of a 16 inch watermain at an estimated cost of $129,151.10, entirely at the expense of the P.U.C.

RECOMMENDATION: That a by-law be authorized to execute an agreement with the Ministry of Transportation and Communications under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201; adequate funds having been provided for this project -

> Construction of Princess Street from 287.26 meters east of Portsmouth Avenue to 137.75 meters west of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement at Princess Street and Sir John A. Macdonald Boulevard;

. . . . /2

Schedule "R" to Report No. 70
(Page 2)

SUBJECT: BY-LAW TO AUTHORIZE THE EXECUTION OF A CONNECTING LINK AGREEMENT WITH THE MINISTRY OF TRANSPORTATION AND COMMUNICATIONS FOR THE WIDENING OF PRINCESS STREET FROM 287.26 METERS EAST OF PORTSMOUTH AVENUE TO 137.75 METERS WEST OF SIR JOHN A. MACDONALD BOULEVARD, INCLUDING TRAFFIC SIGNAL IMPROVEMENT AT PRINCESS STREET AND SIR JOHN A. MACDONALD BOULEVARD continued

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RECOMMENDATION:		
	TOTAL ESTIMATED COST	$530,716.11
	CITY'S SHARE	$112,016.25
	P.U.C. SHARE	$129,151.10
	M.T.C. SHARE	$289,548.76

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "S" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: PARKING CONTROL - WEST SIDE OF MACDONNELL STREET, PRINCESS STREET TO SOUTH BARTLETT STREET

ORIGIN: Traffic and Streets Department

ANALYSIS:

1) Existing parking regulations:

West side - Parking Prohibited
10-11 a.m. and 2-3 p.m.;

East side - No Parking Anytime.

2) The Gorsline Parking Lot with 150 parking spaces is located on the west side of Macdonnell Street and has surplus capacity.

3) The Gorsline Parking Lot has two accesses to Macdonnell Street, and existing parking on the west side of Macdonnell Street restricts visibility for motorists egressing from the parking lot.

4) Alderman Hawkins has advised that property owners on the east side of Macdonnell Street have no objections to the proposed parking restrictions.

EXISTING POLICY:

a) Street parking abutting municipal parking lots be prohibited, unless insufficient parking available on parking lot.

b) The Gorsline Parking Lot has surplus capacity to accommodate the few cars parking on the street.

RECOMMENDATION: That a by-law be presented to Council to amend By-Law No. 24, (Traffic) to provide that parking be prohibited on the west side of Macdonnell Street between Princess Street and South Bartlett Street.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

Schedule "T" to Report No. 70
(Page 1)

REPORT

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: K. G. Linseman, Administrator
Traffic, Streets and Parking

DATE: August 21, 1980

SUBJECT: PAVING OF BOULEVARD ON EAST SIDE OF DIVISION STREET AT 893 DIVISION STREET

ORIGIN: Property owner of 893 Division Street

ANALYSIS:

1) The boulevard is located between the curb and the sidewalk and is immediately north of the BP Service Station at Elliot Avenue.

2) The boulevard is narrow and difficult to maintain, partly due to the encroachment of egressi vehicles from the adjacent service station.

3) The owner of the adjacent property, the BP Service Station, has offered to pave his neighbour's boulevard at BP's expense.

4) It is preferable to have the narrow boulevard paved instead of the existing mud.

EXISTING POLICY:

a) Section 27 of By-Law 10 (Streets) prohibits any person digging up boulevards.

b) Exemptions have been occasionally granted where a narrow grass boulevard is difficult to maintain.

RECOMMENDATION: That, notwithstanding the provisions of By-Law No. 10, 'A By-Law Respecting Streets', permissi be granted to Mr. Ernest Muller to pave the narrow strip of City boulevard between the curb and the sidewalk (approximately 3 feet by 25 feet) in front of 893 Division Street, on the condition that this asphalt area not be used for parking of vehicles.

K. G. Linseman, M.Sc., P. Eng.
Administrator

KGL/c

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 18-1.1

August 21, 1980

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: Mr. R.J. Hamilton, C.A.O.

RE: ARTS AND SCIENCE UNDERGRADUATE SOCIETY - "MARDI GRAS"

We recently received correspondence from the Arts and Sicience Undergraduate Society of Queen's University, requesting Council's permission to hold a "Mardi Gras" on Thursday, September 11th from 7:00 P.M. to 11:30 P.M. Also on Sunday, September 14th, 1980, there is to be a picnic held in Macdonald Park.

This group would like to request Council's permission for exemption from the "Noise By-Law" and also to close Queen's Crescent on September 11th from 7:00 P.M. to 11:30 P.M.

We forwarded this letter to Mr. Linseman, Chief Rice, Chief Cowdy and Mr. Fluhrer who have all indicated their approval.

We would therefore recommend that Council grant permission as they have requested.

R.J. Hamilton,
C.A.O.

RJH/sd

Schedule "U" to Report No. 70
(Page 2)

ASUS

THE ARTS & SCIENCE UNDERGRADU
SOCIETY OF QUEEN'S UNIVERS

020 JOHN DEUTSCH UNIVERSITY CENTRE
QUEEN'S UNIVERSITY
KINGSTON, ONTARIO
K7L 3N6
(613) 547-3069

August 18, 1980.

Mr. Ken Keyes,
Mayor, City of Kingston,
City Hall,
KINGSTON, Ontario.

Dear Mayor Keyes:

In conjunction with the Arts and Science Undergraduate Society of Queen's University, the Orientation Committee is once again planning a Mardi Gras on Thursday, September 11, 1980, from the hours of 7:00 p.m. to 11:30 p.m. The proceeds from the Mardi Gras will once again be donated to charity. In regards to this, we would like to ask Council for exemption from the Noise Bylaw for this time period, and also for permission to close Queen's Crescent for this event.

Mardi Gras will end with a fireworks display overlooking the lake, and the Kingston community is invited to participate in both the actual Mardi Gras and to enjoy the fireworks.

On Sunday, September 14, 1980, we are planning a picnic in Macdonald Park. Various performers with non-amplified instruments will be featured, and once again the Kingston community is invited to come and enjoy a quiet afternoon with the students. We are also issuing a challenge at this time for a game of softball between Council and various members of the Orientation Committees at Queen's.

I will be present at the meeting at which these matters come up before Council, and will be happy to answer any further questions if necessary.

Sincerely,

(Miss) T-Jay Upper,
Communications,
ASUS Orientation '80.

COMMITTEE OF THE WHOLE (Cont'd) - August 28, 1980

MOTIONS

(Which were referred to the Committee of the Whole on August 11, 1980)

(1) Moved by Ald. Webb,
Seconded by Ald. Matthews,

That, as the Cataraqui, Frontenac and St. Lawrence Ratepayer's Association, when given permission to use Memorial Hall for a public meeting on May 30, 1980, were not informed that security charges at $6.00 per hour would be charged, such charges be waived for this occasion.

CARRIED

(2) Moved by Ald. Clements,
Seconded by Ald. Bishop,

That the Mayor be instructed to set up a committee to examine the financial benefits and disadvantages of amalgamation of the Township of Kingston or parts thereof, and the Township of Pittsburgh or parts thereof; this committee to be composed of two aldermen, the Chief Administrative Officer, the Director of Planning and two members of the Kingston community,

- and further -

That it be suggested to the Townships of Kingston and Pittsburgh that the administrator and an elected official from each municipality be members of the committee;

- and further -

That the County of Frontenac be invited to have a representative on the committee;

- and further -

That this committee report back to council by July 1, 1981.

CARRIED AS AMENDED
(See following motions of amendment)

(A) Moved by Ald. Clark,
Seconded by Ald. Lampropoulos,

That Motion (2) be amended to add the words, "- and further - that it be suggested to the Townships of Kingston and Pittsburgh that the administrator and an elected official from each municipality be members of the committee - and further" after the word "community".

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Bishop,

That Motion (2) be amended to add after the 2nd set of the words "and further" the words, "that the County of Frontenac be invited to have a representative on the committee - and further.- "

CARRIED

(C) Moved by Ald. Clements,
Seconded by Ald. Miller,

That Motion (2) be amended to delete the word "annexation" in the second sentence and substitute therefor the word "amalgamation" and to delete the words "November 30, 1980" in the last sentence of the last paragraph and substitute therefor the words "July 1, 1981".

CARRIED

COMMITTEE OF THE WHOLE (Cont'd) - August 28, 1980

MOTIONS (Cont'd)

(3) Moved by Ald. Matthews,
Seconded by Ald. Hawkins,

That the Committee of the Whole reconsider Clause 19, Report No. 70.

CARRIED 10:3

(Note: Vote of majority of members present required)

(4) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That the reconsideration of Clause 19 of Report No. 70 be tabled until the September 2nd City Council Meeting.

CARRIED

END OF REPORT OF THE COMMITTEE OF THE WHOLE

COUNCIL

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Ald. Clark,
Seconded by Ald. Clements,

That the Report of the Committee of the Whole be adopted, approved and confirmed

CARRIED

MOTIONS

(1) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the congratulations of council be extended to the Rev. Lois Wilson on having been elected as Moderator of the United Church of Canada.

CARRIED

(2) Moved by Ald. Clark,
Seconded by Ald. Bishop,

Whereas our "Talk of the Town Gal", Shelaugh Rogers, is leaving C.K.W.S. for C.B.O. Radio Ottawa, that the best wishes and thanks of council be extended for the good job she has done for the citizens of our community.

CARRIED

(3) Moved by Ald. Clark,
Seconded by Ald. Bishop,

That the congratulations of council be extended to Ken & Carrie Keyes on the occasion of their Wedding Anniversary on August 25, 1980.

CARRIED

NOTICES OF MOTION

The following Notices of Motion were received.

(1) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That council review the present system of municipal election of aldermen - re - two aldermen per ward for the present seven wards; and consider developing a new structure creating ten wards with one alderman elected per ward;

That the City Clerk be directed by council to create a new ten ward system by population for consideration by council prior to November 1, 1980;

That the new structure, if approved by council, would be adopted and implemented prior to 1982 Municipal Elections.

REFERRED TO THE COMMITTEE OF THE WHOLE - SEPTEMBER 2, 1980

(2) Moved by Ald. Timmins,
Seconded by Ald. Lampropoulos,

WHEREAS the owners of residential units in condominium corporations are assessed under the provisions of The Ontario Assessment Act in a manner similar to the owners of single family homes in private ownership;

AND WHEREAS the owners of units in condominium corporations, and in particular condominium row dwellings, have provided for services and have maintained such services that the owners of single family homes in private ownership do not have to incur the costs of;

AND WHEREAS condominium row dwelling unit owners have paid for the costs of certain sewers, watermains and roads and continue to pay for the costs of maintaining such facilities;

AND WHEREAS municipalities have not expressed a desire to undertake the responsibility for the maintenance of such facilities;

AND WHEREAS the condominium unit owners continue to be assessed in the same manner as single family lots in private ownership, notwithstanding that the above noted services are not paid for by the general public;

AND WHEREAS it would now appear appropriate to ask the provincial government to consider an amendment to provincial legislation to recognize the special nature of row dwelling condominium developments in particular, and condominium developments generally;

THEREFORE BE IT RESOLVED that the Council of The Corporation of the City of Kingston recognizes the inequity that exists with respect to the assessment of condominium developments generally and row condominiums in particular, and hereby petitions the provincial government to provide relief to this inequity by way of appropriate provincial legislation.

REFERRED TO THE COMMITTEE OF THE WHOLE - SEPTEMBER 2, 1980

NOTICES OF MOTION (Cont'd)

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That it be recommended to the Labour Management Committee that wherever possible, all Grievance Committee hearings be held after 4:30 p.m.;

And furthermore, that it be recommended that all members of council, not members of the Grievance Committee, be designated as alternates of the said committee and that they be called, in rotation, if needed.

REFERRED TO THE COMMITTEE OF THE WHOLE - SEPTEMBER 2, 1980

At the request of Ald. Miller, council consented to consider Notice of Motion (4) at this meeting of council.

(4) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That the City of Kingston submit comments to the Legislative Standing Committee on Administration of Justice reviewing the operation of O.H.C. and housing authorities and that this Council invite the Legislative Committee to hold one of their hearings in Kingston.

CARRIED

(5) Moved by Ald. Lampropoulos,
Seconded by Ald. Timmins,

That it be recommended to next year's council (1981) that a sidewalk be constructed on the south side of Princess Street between Hillendale and Sir John A. MacDonald Boulevard.

REFERRED TO THE COMMITTEE OF THE WHOLE - SEPTEMBER 2, 1980

BYLAWS

Council consented to the addition of By-Law (14).

(A) Moved by Ald. Clements,
Seconded by Ald. Gorham,

That By-Laws 1 to 10 and 14 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That Rule 34 of By-Law No. 1 be suspended for the purpose of giving By-Laws 9 and 14 their Third Reading.

CARRIED

(C) Moved by Ald. Matthews,
Seconded by Ald. Miller,

That By-Laws 9 to 14 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 19, "A By-Law to Provide for the Regulation and Use of the Parks and Recreation Facilities of The Corporation of the City of Kingston" to provide that Admission Prices to the Kingston Pump House Steam Museum be Waived on one or two days to be determined in August or September 1980 for the Promotion of "Kingston Museum Day".

FIRST & SECOND READINGS PROPOSED NO. 80-180
Clause 1, Report No. 66, 1980

(2) A By-Law to Authorize the Construction of a Concrete Sidewalk, 1.5 m wide, on the West Side of Napier Street from Scott Street to Dunlop Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-181
Clause 4, Report No. 70, 1980

(3) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk on the East Side of Ontario Street from Johnson Street southerly 85.34 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-182
Clause 14, Report No. 70, 1980

(4) A By-Law to Authorize the Reconstruction of the Asphalt Pavement in Ontario Street from William Street to Johnson Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-183
Clause 15, Report No. 70, 1980

BYLAWS (Cont'd)

(5) A By-Law to Authorize the Construction of Curb, Gutter and Boulevard on the East Side of Ontario Street from Johnson Street Southerly 88.39 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS PROPOSED NO. 80-184
Clause 16, Report No. 70, 1980

(6) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 23, Report No. 70).

THIRD READING PROPOSED NO. 185
Clause 23, Report No. 70, 1980

(7) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Amend Section 27(a) to Permit Pavement of Boulevard at 893 Division Street).

FIRST & SECOND READINGS PROPOSED NO. 80-186
Clause 24, Report No. 70, 1980

(8) A By-Law to Temporarily Close Queen's Crescent from University Avenue to Albert Street on Thursday, September 11, 1980, from 7:00 p.m. to 11:30 p.m. for Community Purposes.

FIRST & SECOND READINGS PROPOSED NO. 80-187
Clause 25(B), Report No. 70, 1980

(9) A By-Law to Authorize the execution of a proposal and estimate of cost pursuant to an agreement with Her Majesty the Queen, In Right of the Province of Ontario, as represented by the Minister of Transportation and Communications, entered into under The Public Transportation and Highway Improvement Act, R.S.O. 1970, Chapter 201.

THREE READINGS PROPOSED NO. 80-188
Clause 22, Report No. 70, 1980

(Note: Connecting Link - Princess Street Widening from 287.26 m East of Portsmouth Avenue to 137.75 m West of Sir John A. Macdonald Boulevard, including Traffic Signal Improvement).

(10) A By-Law to Confirm the Proceedings of Council at its Meeting held on August 25, 1980 and its Special Meeting held on August 28, 1980.

THREE READINGS PROPOSED NO. 80-189
City Council Meeting No. 41, 1980
and
City Council Meeting No. 42, 1980

BYLAWS (Cont'd)

(11) A By-Law to Amend By-Law No. 9066, "A By-Law to Authorize the Construction of Certain Concrete Sidewalks under the Provisions of Section 7 of The Local Improvement Act (Petition)" (Delete Concession Street, South Side, 5 Feet East of Alfred Street Easterly 76.2 feet).

THIRD READING PROPOSED NO. 80-49
Clause 11, Report No. 23, 1980

(12) A By-Law to Temporarily Close Certain Streets on Sunday, September 14, 1980 from 10:00 a.m. to 12:00 noon for Community Purposes.

THIRD READING PROPOSED NO. 80-176
Clause 26, Report No. 64, 1980

(13) A By-Law to Temporarily Close Patrick Street from Balaclava Street to Quebec Street on Monday, September 1, 1980 from 6:00 a.m. to 3:00 p.m. for Community Purposes.

THIRD READING PROPOSED NO. 80-178
Clause 15, Report No. 66, 1980

(14) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets"(To permit erection of banners: University Avenue at Queen's Crescent and University Avenue at Union Street).

THREE READINGS PROPOSED NO. 80-190
Clause 25, Report No. 70, 1980

ADJOURNMENT

Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That council do now adjourn.

CARRIED

Council adjourned at 10:45 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

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